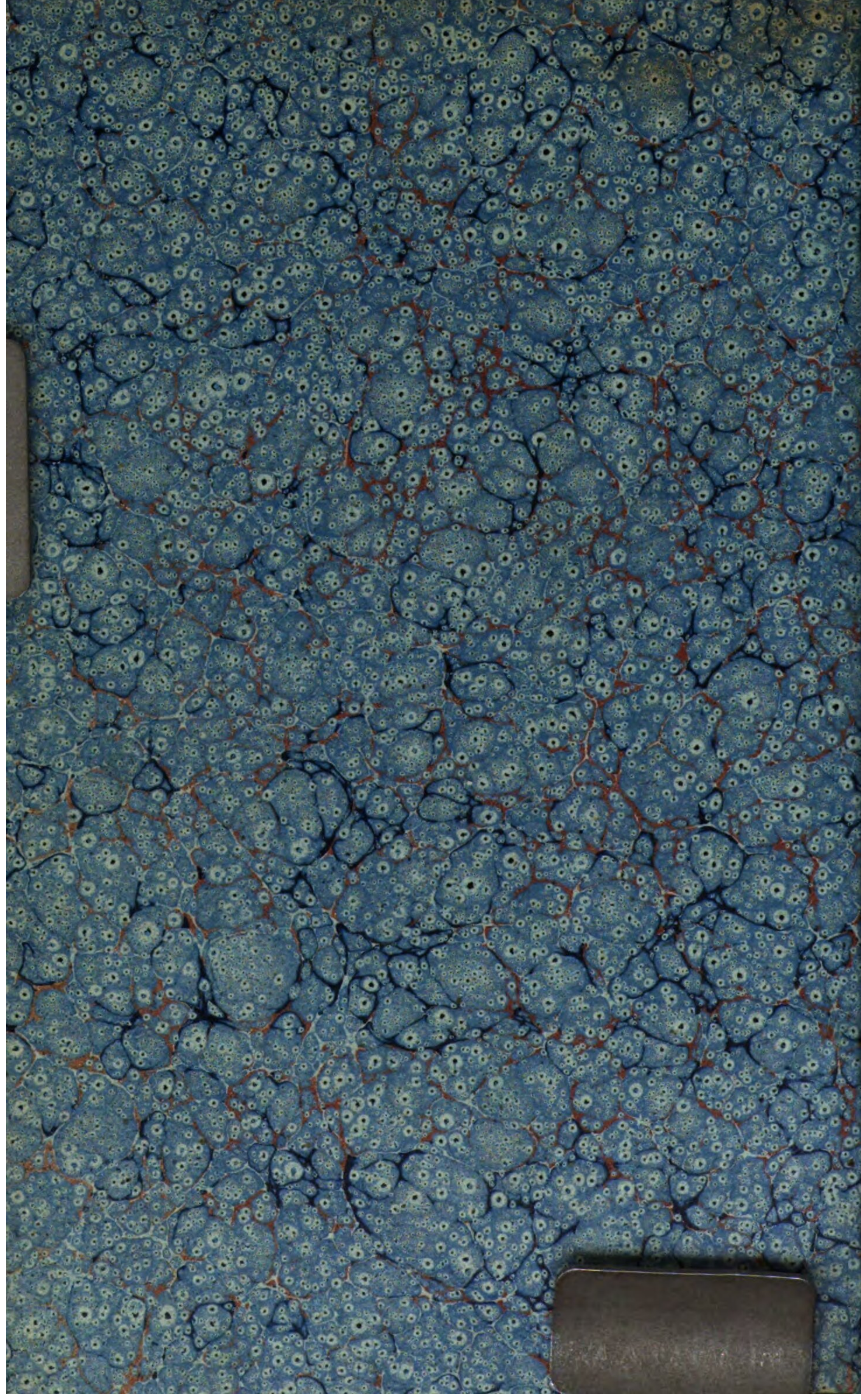
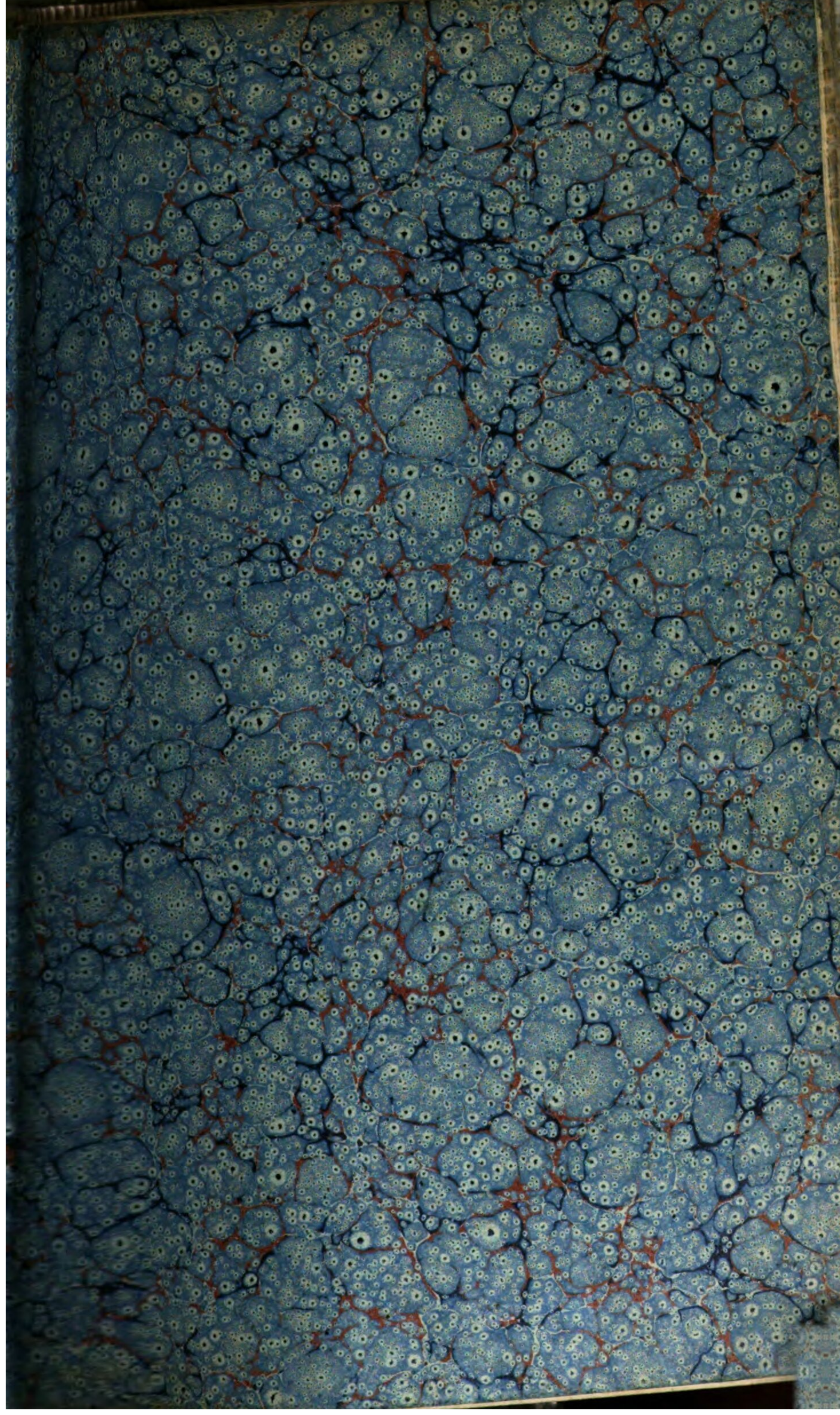






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Belsham

HISTORY
OF
GREAT BRITAIN.

FROM THE
REVOLUTION, 1688.

TO THE CONCLUSION OF
THE TREATY OF AMIENS, 1802.

BY WILLIAM BELSHAM.

IN TWELVE VOLUMES.

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Ac mihi quidem videntur huc omnia esse referenda ab iis qui præsunt aliis:
ut ii qui eorum in imperio erunt, sint quam beatissimi. CICERO.

Beneficio quam metu obligare homines malit; exterisque gentes fide ac
societate junctas habere, quam tristi subjectas servitio. LIVY, lib. 26.

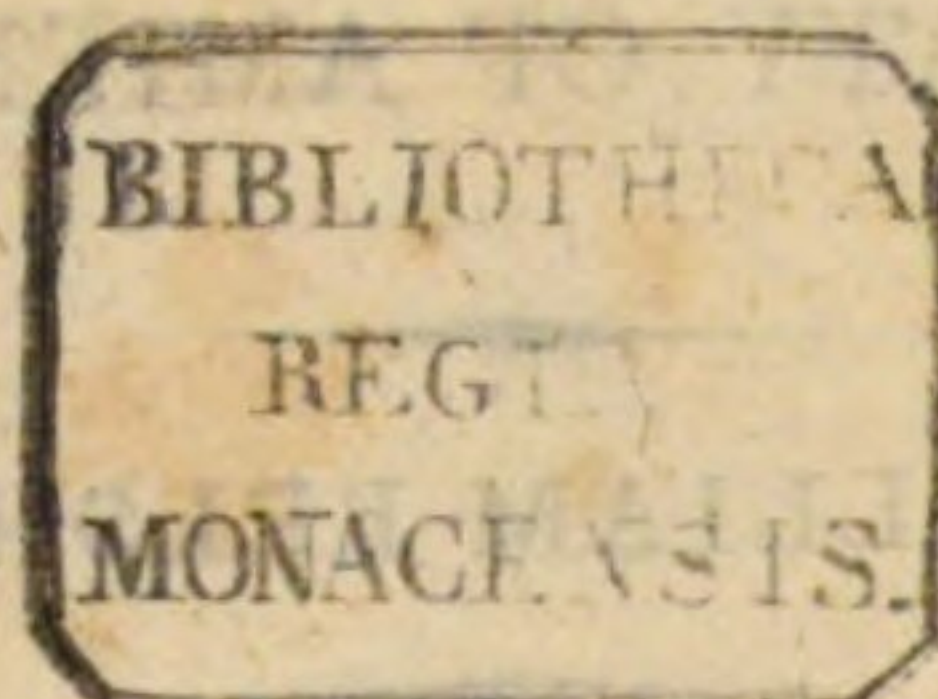
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OF
GREAT BRITAIN.

GEORGE III.

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Review of
American
Transac-
tions.

THE unfortunate disputes with the American colonies, revived by the imposition of the port duties in 1767, had since that fatal period suffered no interruption or abatement, though very much kept out of sight by those vehement domestic contests in which the English nation felt itself for the time more nearly interested, though of far less real and lasting importance. A general retrospective view of colonial politics will be necessary, to illustrate and introduce the momentous transactions of the succeeding years. In the act of imposing the port duties on paper, glass, colors, teas, &c. passed A. D. 1767, was a remarkable clause, which gave scarcely less umbrage and alarm than the taxes themselves, empowering the crown by sign manual to esta-

publish a general CIVIL LIST throughout every province in America, to an indefinite extent, with any salaries, places, or appointments, to the very last shilling of the American revenue. The act indeed provided, that after all such ministerial warrants under the sign manual as are thought proper and necessary shall be *satisfied*, the residue of the revenue shall be at the disposal of Parliament. But who, it was asked, can suppose such warrants *will* ever be *satisfied*, till ministers have provided for all their friends and favorites. This mockery of an American revenue proves at last, said a member of the house (Mr. Hartley), to be only the crumbs that fall from the minister's table—the RESIDUE of a royal warrant countersigned by the first lord of the Treasury! The next step in the progress of the new system of American taxation was the establishment of an American board of commissioners, which, under the auspices of the chancellor of the Exchequer, Mr. Charles Townshend, passed into an act the same session. This board was fixed at Boston, where the commissioners arrived in the autumn of that year.

The non-importation agreement entered into by the colonies, in consequence of the rash and unadvised measures adopted by England, have been already noticed; but though they confined their *practical opposition* to their commercial

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combinations, they now began to indulge a boundless and dangerous licence of *speculative discussion* on the nature and extent of parliamentary power. Till this period they had, with a cheerfulness which precluded any deep or accurate investigation of right, admitted the exercise of a discretionary legislative authority in the parliament of Great Britain. They had admitted the distinction between raising money as the mere incidental produce of regulating duties, and for the direct purpose of revenue; but now they argued more boldly, and as speculatists more consistently, in saying, If the parliament of Great Britain has no right to tax us internally, they have none to tax us externally; and if they have no right to *tax* us without our consent, they can have none to govern or to *legislate for us* without our consent. These reasonings, so natural and obvious in present circumstances, when the power of the mother country was, in the apprehension of every American, employed to the purposes of oppression, prove in a striking manner the unexampled folly of Great Britain, in risking the discussion of a right so problematic and precarious. The only just and solid basis of the authority of Great Britain over the colonies was that of common utility sanctioned by long prescription and universal acquiescence. But when the authority of Great

Britain was exerted for her own separate advantage, in a manner unauthorized by custom, and unacknowledged by those over whom it was exercised by mere dint of superior force, it could in nothing be distinguished from tyranny, to which resistance and revolt only can be properly opposed. To attempt to govern a whole nation in a mode abhorrent from their feelings, principles, and prejudices, is a complication of folly and wickedness; and the councils of Great Britain at this period were governed by a spirit of infatuation, which it is difficult to analyse into any of the common principles of human action, and which excites our astonishment at least as strongly as our indignation or regret.

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In January, 1768, the assembly of Massachusetts Bay transmitted, by their speaker, a circular letter to the different colonies, in which they recommend to the respective colonial legislatures to take into joint consideration the measures it may be proper to adopt for the redress of their common grievances, particularly specifying the late acts imposing duties and taxes on America, and expressing their firm confidence in the king, their common head and father, that the united and dutiful supplications of his distressed American subjects will meet with his royal and favorable acceptance. No sooner was this known in England, than Lord Hillsborough

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transmitted instructions to governor Bernard, in his majesty's name, so soon as the general court is again assembled, to require of the house of representatives "to RESCIND the resolution which gave birth to the circular letter from the speaker, and to declare their disapprobation of, and dissent from, that rash and hasty proceeding—at the same time strangely affirming the resolution in question to be unfair, contrary to the real sense of the assembly, and procured by surprise;" although it in fact passed almost unanimously in a very full house, after the most ample and deliberate discussion. In case of the refusal of the house to comply with this requisition, the governor was commanded immediately to dissolve the assembly, and to transmit to his lordship an account of their transactions. This imperious demand was conceived precisely in the spirit of a mandate of the French king to his parliaments, but fortunately it could not be enforced by *lettres de cachet*. If French parliaments have been known resolutely to resist the will of the despot with the terrors of imprisonment, exile, and death before their eyes, it will easily be supposed that an assembly of men boasting their descent from ancestors whose garments were stained in the blood of tyrants were little likely to yield this abject submission. A committee of the house reported a letter to lord

Hillsborough, in which the egregious misapprehension of his lordship, with regard to the mode in which the resolution had passed the house, was corrected; and the house then agreed on a message to the governor, in which they said—
“It is to us incomprehensible that we should be required, on the peril of a dissolution of the general court, to rescind a resolution of a former house, when it is evident that that resolution has no existence but as a mere historical fact. Your excellency must know that the resolution is, to speak the language of the common law, not now executory, but to all intents and purposes executed. If, as is most probable, by the word *rescinding* is intended the passing a vote in direct and express disapprobation of the measure of the former house, we must take the liberty to testify, and publicly to declare, that we take it to be the native, inherent, and indefeasible right of the subject jointly or severally to petition the king for the redress of grievances. If the votes of the house are to be controlled by the directions of a minister, we have left us but a vain semblance of liberty. We have now only to inform you, that this house have voted NOT to RESCIND; and that, on the division on the question, there were ninety-two yeas, and seventeen nays.” The next day the governor dissolved the assembly. In the course of the debate which

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preceded this resolution, a member of the assembly said, "When lord Hillsborough knows that we will not rescind our acts, he should apply to parliament to rescind theirs. Let Britain rescind her measures, or she will lose America for ever."

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At the same time that lord Hillsborough transmitted his majesty's high commands to sir Francis Bernard, he wrote a circular letter to the governors of the different provinces, in which, referring to the letter of the Massachusetts' assembly, his lordship said, "It is his majesty's PLEASURE that you should, immediately on the receipt hereof, exert your utmost influence to defeat this flagitious attempt to disturb the public peace, by prevailing upon the assembly of the province to take no notice of it; which will be treating it with the contempt it deserves." The contempt of the Americans was reserved however for the letter of his lordship; the assemblies throughout the continent highly applauding the conduct of the Massachusetts, and almost unanimously passing votes and resolves according with the spirit of the letter received from Boston. The assembly of New York in particular, whose principles were supposed most favorable to loyalty, answered it in the most respectful terms, and appointed a committee of correspondence to consult with the other colonies

on the measures to be pursued in the present crisis ; upon which that assembly also was dissolved. Orders also were transmitted by lord Hillsborough to governor Penn, to dissolve the assembly of Pennsylvania ; his lordship, by a pleasant mistake, not recollecting it to be the established and chartered privilege of that house to sit on their own adjournments, and that the governor had no power to dissolve them. BOOK
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In the midst of the ferment occasioned by these proceedings, a sloop, called the Liberty, laden with wine from Madeira, was seized under authority of the commissioners of the customs for a false entry ; and being cut by force from her moorings, was by their order removed under the guns of the Romney, a ship of war lying in the harbour of Boston. The minds of the populace being greatly inflamed, a violent riot ensued, in which the houses of the commissioners were assailed, their persons grossly insulted, and they were compelled to take refuge at first on board the Romney, and afterwards at the fortress adjacent to the town, called Castle William. It being now thought necessary by government, which disdained every idea of concession or retractation, to station a considerable military and naval force at the town of Boston, orders were issued for that purpose, and also for repairing the fortress of Castle William. On receiving this

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intelligence, a meeting of the principal inhabitants of Boston was called, and an address presented by them to the governor, praying him in the most urgent terms to issue precepts forthwith for convening a general assembly ; but this his excellency declared he could not do without receiving his majesty's commands. The legality of the meeting also was peremptorily denied by the governor, who declared the conveners of it to be guilty of *an high offence*, admonishing them to consider the penalties they were incurring by continuing their session ; and he protested that, if they did not attend to this warning, he must assert the prerogative of the crown in a more public manner ; adding, in a tone of menace, “ that they may assure themselves, for he spoke from INSTRUCTION, that the KING was determined to maintain his ENTIRE SOVEREIGNTY over that province ; and whoever should persist in *usurping* any of the rights of it would REPENT his RASHNESS.” But the governor seemed not to recollect, that those who *usurp* the RIGHTS of the PEOPLE may be made to repent their RASHNESS, as well as those who invade the PREROGATIVE of the SOVEREIGN. A number of votes expressive of the agitation of the public mind were unanimously passed, and amongst them is a resolve, that those inhabitants who are not provided with arms be requested to furnish themselves forth-

with. On the first of October, 1768, the troops landed under cover of a considerable fleet, consisting of fourteen ships of war of different descriptions, lying in the harbour of Boston, with their broadsides to the town; and marching into this metropolis with bayonets fixed, drums beating, and colours flying, with a train of artillery accompanying them, the imagination of the inhabitants was impressed with all the ideas associated with the insolence of conquest and the horrors of military despotism.

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In the ensuing month of February, 1769, a joint address was moved and presented by both houses of parliament to the king, expressing their satisfaction in the measures already pursued, and giving him the strongest assurances “that they would support him in such farther measures as might be found necessary to maintain the civil magistrates in a due execution of the laws within the Massachusetts’ Bay; and beseeching him to direct the governor to take the most effectual methods for procuring the fullest information touching all TREASONS committed within that government since the 30th December 1767, and to transmit the same, with the names of the persons most active in the commission of such offences, in order that his majesty might issue a special commission for hearing and determining the said offences within the realm, pursuant to the

BOOK statute of the 35th year of Henry VIII." In re-
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 1768. ply his majesty assured them, "that he would not fail, in the mode they had recommended, to give the most effectual orders for bringing the authors of the late disorders in the province of Massachusetts to CONDIGN PUNISHMENT." Thus was an obsolete and, in its present application, horribly tyrannical statute of the most arbitrary of the English monarchs revived in the reign of George III. in the vain hope to subdue that unconquerable spirit of liberty in America, which only blazed the more fiercely and dangerously for the repeated attempts to overwhelm or extinguish it*. "Consider well," said colonel Barré to the ministers, when the address was pending in the house of commons, "what you are

* It is just to acknowledge that the act in question had originally no tyrannical, but on the contrary a very useful and beneficial tendency. By the 1st of Henry IV. c. 14. all treasons committed by persons abroad were to be tried before the constable and marshal. The act itself was passed in the parliament convened immediately previous to the king's expedition to Boulogne, twenty-three years subsequent to the death of the duke of Buckingham, last high-constable of England. So that had any treason been committed abroad by persons accompanying the king on that expedition, an absolute failure of justice must have ensued. To include, by a forced and preposterous construction, the colonies of North America in the scope of this statute was certainly a most unparalleled perversion of law and justice.

doing. Why will you deceive yourselves and us? You know that it is not this or that place only that disputes your right, but every part. They tell you with one voice, from one end of the continent to the other, *that you have no right to tax America.*” Also upon this occasion, a most respectable member of the house (governor Pownall), who had formerly presided with high reputation over the province of Massachusetts, delivered his sentiments upon the present measure as a branch of the general system of American politics, in a speech replete with information and good sense; but which conveying by implication strong reflections upon the past conduct, not only of ministers but of the legislative body itself, was heard by the house with manifest indications of impatience. The governor declared “that things were now evidently hastening to a crisis. The people of America and the king’s troops were set in array against each other. The sword indeed was not yet drawn, but the hand was upon it. The slightest incident would suffice to involve the empire in confusion and bloodshed. With regard to the right or claim of taxation, where the whole spirit and bent of a people, who have the powers of government within themselves, is fixed and determined against the admission of such a claim, experience and common sense will evince that no civil power, no civil co-

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ercion, will ever avail to enforce it. No military power can do this. It may raise a contribution by military execution, but this is not GOVERNMENT, it is WAR. If the military are sent, not in aid of the civil magistrate, but to force him to act; if they are sent, not to obey his orders, but to take possession of his jurisdiction; this is not GOVERNMENT—it is a state of WAR. If you attempt to force taxes against the spirit of the people there, you will find too late that they are of a spirit that will resist force; which will grow stronger by being forced, and which will ultimately prove superior to all force. This spirit is not dead in them, it is only dormant; and should it once take fire, it will break out into a flame which no reason, no prudence, no force can restrain. Those people, whom Great Britain hath to this hour drawn as it were with a silken thread, she will find it in vain to attempt to rule with a rod of iron. If the house will not believe this at present, I request at least that they will remember it hath been said, and that they are forewarned of it. If then force will not and cannot produce the effect aimed at, there remains no other alternative than to adopt some mode of policy that will carry their consent along with it. But why do I talk of modes of policy, when the short way of force seems already adopted? Nevertheless, even under this discouragement, could

I command the attention of the house, I would mark out that line of policy by which all may be again restored to peace and happiness. Wave all consideration of abstract questions—make no innovations in practice. Act in the government of the colonies as you have done, till the rage of experiment commenced, for one hundred and sixty years past. Manifest a disposition to relieve and amend whatever is injurious to the spirit of commerce, whatever is matter of real grievance, and all would be quiet as soon as a ship could arrive with the news in America. In a word, resume the spirit of your antient policy. I am founded when I say, this would restore again peace, order, and government. Let the matter of legislative supremacy rest in silence upon the declaratory law. America will understand that she is placed in the same line of administration with Ireland, and this will be better understood by avoiding explanations. Do nothing which may bring into discussion questions of right. Aim not to extend your power to new objects; and exercise the powers you have been accustomed to with prudence and moderation, and in the spirit of commercial wisdom. This mode of governing would cement again the union of the two countries: it would restore the spirit of obedience which the loss of authority on the one hand, and the loss of affection on the other, hath inter-

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1768. rupted. Exert the spirit of policy, that you may not ruin the colonies and yourselves by an arbitrary exertion of force.”—The house was not in a temper to be impressed with arguments of this nature. Actuated by the spirit of pride and domination, they shut their eyes and ears against whatever had a tendency to awaken them from the strong delusion under which they acted, and this political Cassandra admonished, warned, and prophesied in vain. When this address reached the western shore of the Atlantic, the assemblies of Massachusetts and New York no longer existed; but Virginia, on this occasion, assumed the lead with equal spirit and firmness. On the 16th of May, 1769, they came to several resolutions, copies of which they ordered their speaker to transmit to the different assemblies throughout the continent, and to request their concurrence. These resolutions imported, “That the sole right of imposing taxes on the inhabitants of the colony is now, and ever hath been, in the house of burgesses, with consent of the council, and of the king, or governor for the time being:—that it is the privilege of the inhabitants to petition their sovereign for redress of grievances; and that it is lawful to procure the concurrence of his majesty’s other colonies in dutiful addresses, praying the royal interposition in favor of the violated rights of America:—that all trials for treason, or

misprision of treason, here committed, ought to be in and before his majesty's courts within the said colony ; and that sending accused persons to be tried beyond the seas is highly derogatory to the rights of British subjects." These resolutions were followed by a humble address to the king, " beseeching his royal interposition to quiet the minds of his loyal subjects in the colonies, and to avert those dangers and miseries which will ensue from a departure from the ancient rules and maxims of government." The next day, lord Bottetourt, the governor, declared to the assembly, that these resolutions had made it his duty to dissolve them ; and that they were dissolved accordingly. The assembly immediately voted themselves into a convention, and choosing the late speaker, Peyton Randolph, esq. moderator, they entered unanimously into an association against importing not only the taxed commodities, but wines and other articles ; and the simple recommendations of this convention had throughout the province all the force and efficacy of law. The neighbouring province of Maryland followed the example of this great and leading colony, in respect to the non-importation agreement ; and the North Carolina assembly adopting, by an express vote, the resolutions passed by Virginia, were also dissolved by governor Tryon.

The general court of Massachusetts being call-

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ed together in the course of the summer 1769, in conformity to their charter, immediately presented an address to his excellency the governor, for the removal of the naval and military force stationed in the town and harbour of Boston ; to which the governor returned for answer, “ that he had no authority over his majesty’s ships in this port, or his troops within this town.” The house refusing to proceed to business while they were surrounded with an armed force, the governor adjourned the court to the town of Cambridge ; soon after which they passed resolutions similar to those of Virginia ; and also a vote, “ that the sending an armed force into the colony, under pretence of assisting the civil power, is highly dangerous to the people, unprecedented, and unconstitutional.” The governor calling upon them to declare, whether they would or would not make provision for the troops agreeably to the injunctions of the act of parliament, the house answered, “ As we cannot consistently with our honour or interest, much less with the duty we owe to our constituents, so we never shall make any provision of funds for the purposes in your several messages.” Upon this the governor prorogued them to the 10th of January 1770, to meet at Boston. — The proposition adopted by the British parliament, for transporting persons from America in order to trial in

Great Britain, by a forced and unheard of construction of the old statute of Henry VIII. excited prodigious alarm throughout the continent. The house of representatives of Virginia, in their address to the king, express with feeling and dignity the sentiments which, wounded by such cruel provocation, must necessarily animate the breasts of freemen. “When we consider,” say they, “that, by the established laws and constitution of this colony, the most ample provision is made for apprehending and punishing all those who shall dare to engage in any treasonable practices against your majesty, or disturb the tranquillity of government, we cannot without horror think of the unusual, and, permit us with all humility to add, unconstitutional and illegal mode recommended to your majesty, of seizing and carrying beyond the sea the inhabitants of America suspected of any crime, and of trying such persons in any other manner than by the ancient and long-established course of proceedings; for how truly deplorable must be the case of a wretched American, who, having incurred the displeasure of any one in power, is dragged from his native home—conveyed to a distant land, where no friend will alleviate his distresses, and where no witness can be found to testify his innocence!”

In the course of this summer, 1769, was transmitted to the governors of the different provinces

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the famous circular letter of lord Hillsborough, containing a virtual renunciation of future taxation, and an engagement, so far as the ministers of the crown could engage, to repeal, on the principles of commercial expediency, the taxes already subsisting on glass, paper, and colors. But America was now too much irritated and inflamed to be easily or speedily appeased. The exception of the duty on tea was regarded as insidious, and indicative of ministerial fraud and finesse; and it was universally declared, that nothing less than a repeal of all the revenue acts, and the other odious and oppressive laws passed in the present reign, could lay the foundation of a solid and permanent re-union between Great Britain and her colonies.

The circular letter of lord Hillsborough was indeed one of those half measures which exhibit upon the face of them indubitable marks of weakness and incapacity. Yet were there in the administration at this period those who possessed far clearer and juster ideas of policy than the majority of their colleagues. When the question of repeal came under discussion in the cabinet, the duke of Grafton, first lord of the Treasury, lord Camden, chancellor, the earl of Bristol, lord privy-seal, and general Conway, commander in chief of the forces, names of the highest respectability, gave their voices for an entire revocation of the

port duties; not merely as commercially inexpedient, but constitutionally erroneous. They were opposed by the lord president Gower, the chancellor of the Exchequer, lord North, and the three secretaries of state:—the lords Weymouth, Rochford, and Hillsborough, sir Edward Hawke, first lord of the admiralty, known to be favorable to the repeal, was on that occasion unavoidably absent. It is very remarkable that the original minute of council was framed in terms far more moderate and conciliatory than the circular letter founded upon it; and in particular, that the declaration in the letter, specifying the ground of the repeal to be commercial expediency, constituted no part of the minute: in-somuch, that the lords who voted for the unconditional repeal were highly and justly offended at the unwarrantable liberties taken by lord Hillsborough, and lord Camden wrote to him in terms of warm and indignant remonstrance upon the subject. “Your lordship will forgive me,” says the chancellor, “for saying, that though I am responsible for the minute, as it is taken down, I am not for the letter.—I confess I do not expect that this letter will give much satisfaction to America; perhaps the minute might. But as the opportunity of trying what effect that might have produced is lost, I can only say that I am sorry it was not in my power to submit

BOOK my sentiments to your lordship before the letter
XVI. was sent off." On inquiry being made for the
1769. original minute, it was pretended by lord Hillsborough to be mislaid or lost.

The residence of the military at Boston, far from preserving the peace of the town, was the occasion of perpetual tumult and disturbance. The governor, sir Francis Bernard, from the violence of his temper, grew every day more obnoxious to the inhabitants, and the licentiousness of the Boston populace seemed to threaten his personal safety; notwithstanding which, he scrupled not to walk frequently alone and unattended at his villa in the vicinity of the metropolis. On being asked whether he had no apprehensions of danger, he replied, "No; they are not a blood-thirsty people." He was at length recalled in the autumn of 1769, in order to lay before the king the true state of the province, and was succeeded by Mr. Hutchinson, who had long filled the post of lieutenant-governor. Early in the spring of the ensuing year, 1770, a quarrel between the military and townsmen of Boston took place, more serious than any of those which had preceded it. A private of the 29th regiment, passing early on the Saturday morning along a public rope-walk, was provoked by insulting words to engage a party of his comrades to attack the rope-makers. The battle being in-

decisive, it was determined to fight it out on the Monday. The populace being in the interim fully apprised of the intended encounter, assembled in great numbers armed with clubs and other weapons at the time appointed; the bells also ringing an alarum, and violent clamors of "Town-born, turn-out!" being heard in all parts of the city. The mob directed its course to Murray's barracks, and dared the soldiery by very offensive language to combat, which they were with great difficulty prevented from doing by the officers. At length retiring from the barracks, the populace were addressed in the street by "a tall large man in a red cloak and a white wig;" and after listening for some minutes to his harangue with great attention, they exclaimed with shouts and huzzas, "For the main-guard!" for which they immediately began their route in different divisions. Captain Preston, the officer on duty, on the appearance of the frantic multitude, who with oaths and execrations pressed in upon the soldiers, advancing to the very points of the bayonets, endeavoured by every effort to restrain the soldiers from violence. But a party the most furious of the populace, in sailors' habits, struck the guns down with their clubs, and a blow was aimed by one of them at captain Preston. On which a confused noise of "Fire!" was heard, and several pieces being discharged,

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BOOK ten or twelve persons were killed or wounded.
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1770. The drums now beat every-where to arms ! and the townsmen assembled to the amount of many thousands : but the governor at length making his appearance in person, they were prevailed upon, it being now moon-light, to disperse. The next morning the people again collected in vast bodies, and the governor, assembling a council, was urged to order the immediate removal of the troops ; to which he most reluctantly assented, being told by Mr. Oliver, the lieutenant-governor, that he had no other option but to comply, or leave the province. On this removal the ferment began to subside. In the mean time captain Preston and others were committed to prison, in order to take their trial, as not having acted under the sanction of the civil magistrate ; and the funeral of the four persons killed in the late riot was celebrated with great and pompous solemnity, being followed by an immense concourse of people, and the procession closed by a long train of carriages belonging to the principal inhabitants of the town. Notwithstanding the vehement indignation excited by the late transactions, captain Preston and the other prisoners, after a full and fair trial, were by a verdict worthy of the highest praise honourably acquitted, two only excepted, who were found guilty of manslaughter. Mr. Quincy and Mr.

Adams, counsel for the prisoners, and themselves warm partisans of liberty, exerted their utmost ability in their defence. “We must,” said one of these gentlemen, addressing the jury, “steel ourselves against prepossessions which contaminate the fountain of justice. To your candor and impartiality I submit the prisoners and their cause. The LAW, in all vicissitudes of government, fluctuations of passion, or flights of enthusiasm, will preserve a steady undeviating course. To use the words of a patriot, a hero, a martyr to liberty, ALGERNON SYDNEY, *’Tis mens sine affectu*; without any regard to persons it commands that which is good, and it punishes that which is evil; it is deaf, inexorable, inflexible. On the one hand, it is inexorable to the cries and lamentations of the prisoners; on the other, it is deaf, deaf as an adder, to the clamours of the populace.”

On the 31st of May, 1770, the assembly of Massachusetts was convened at Cambridge. The house immediately presented a remonstrance to the governor against its being held there, or at any other place than Boston, and, by a majority of ninety voices, voted it to be a grievance, and resolved not to proceed to business; on which the governor prorogued them to the month of July. On re-assembling, they persisted in their former resolution, and were

B O O K again prorogued to September. In an address
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1770. to the governor, previous to the last prorogation, the assembly, with minds apparently oppressed by gloomy and prophetic forebodings, insisted upon the right of the people to appeal to Heaven in disputes between them and persons in power, when there is an abuse of power. "We would, however," say they, "by no means be understood to suggest that this people have occasion *at present* to proceed to such extremity; yet grievances and cruelties too many to be enumerated, too melancholy to be much longer borne by this people, we have seen brought upon us." On the third meeting of the assembly, September 26, the governor informed them that the garrison at the castle in the pay of the province was to be withdrawn by order of his majesty, and the fortress to be garrisoned by regular troops; and that his orders were to deliver it up to such officer as general Gage should direct to take the command of it. The assembly in reply observed, "If the custody and government of the fortress be now lodged with the military power, independent of the supreme civil magistrate within this jurisdiction, it is so essential an alteration of the constitution as must justly alarm a free people." The house from the necessity of the case, now proceeded to business; and before the prorogation they esta-



blished a "Committee of Correspondence, to <sup>BOOK</sup> communicate with such committees as may be <sup>XVI.</sup> appointed by other colonies." In the month of <sup>1771.</sup> April, 1771, the general court was again convened at Cambridge; and against this obnoxious exertion of power the assembly again remonstrated, and entered their protest. The governor informing the house, that by his majesty's instructions he was forbidden to give his assent to any act subjecting the commissioners of the customs and other officers of the crown, to be taxed by the usual assessors for the profits of their commissions, the house in language daring and indignant replied: "We know of no commissioners of his majesty's customs, nor of any revenue his MAJESTY has a right to establish in North America. We know and feel a tribute levied and extorted from those who, if they have property, have a right to the absolute disposal of it." The session passed heavily in sullen silence or angry recrimination.

In the succeeding year, May 1772, the general court being again convened at Cambridge, the governor acquainted the house, that his majesty had made provision for his support; on which the house, by a message to the governor, declared, "that the making provision for his excellency's support, independent of the grants and acts of the general assembly, and the gover-



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1772. nor's receiving the same, is an infraction upon the rights of the inhabitants granted by the royal charter." An unfortunate incident about this time took place at Rhode Island, which proved a new source of animosity and discord. Lieutenant Duddington, commander of the Gaspee armed schooner, an officer very obnoxious by his extraordinary zeal and vigilance in the execution of the revenue laws, falling in with the Providence packet, employed in the transportation of goods and passengers to Newport, ordered by signal the master to lower his colors; which being disregarded, he fired a shot at the packet and chased. It being near high water, the packet stood close in with the land, designing that the Gaspee should be run aground in the chase. The Gaspee accordingly was soon fast; and, the tide having now done flowing, could by no means disengage herself. So favorable an opportunity of revenge on a man universally detested could not easily again occur. In the night a number of whale-boats filled with armed men boarded the schooner, and after some resistance made themselves masters of the vessel, which they immediately set on fire and burnt with all her stores; and though a reward of 500*l.* was offered for the discovery of these daring offenders, no evidence could be obtained against them. This event gave rise to an act of the



British parliament, by which wilfully and maliciously to destroy his majesty's ships, ammunition, or *stores*, is made capital, and subjects the offender, as well in America as England, to a trial at the pleasure of his majesty *in any county of Great Britain*. Such are the progressive steps by which Tyranny forges his chains, and peoples his dungeons. A government which has lost the confidence of its subjects is urged to oppression not less by necessity than inclination.

The judges of the superior court of the Massachusetts province, though removable at the pleasure of the crown, had hitherto depended on the general assembly for the continuance of their salaries; but they had now salaries settled upon them by his majesty, so that the balance of the constitution was in this respect entirely subverted; both the weights of justice, as was observed, being by this means put into the same scale. Of all the arbitrary innovations of the British government, none excited greater resentment, or was deemed more dangerous, than this. Nothing, indeed, could be more opposite to the genius of the British constitution, which regards the independency of the judicial power on the executive as one of the most important bulwarks of liberty. Committees of correspondence had been recently established in the different towns and townships throughout the province: and the

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spirit which now pervaded the continent may be conjectured from the resolutions passed by the municipal bodies, amongst which those of the town of Petersham may be cited as exhibiting a curious specimen of that religious enthusiasm by which the first British settlers in America, blending the songs of Zion with the murmurs of the Ohio, were once so strongly marked, and which combined with political enthusiasm—and experience shows how easily they coalesce—gives to the human mind, perhaps, the utmost momentum and energy of which it is capable.

I. Resolved, That with a governor appointed from Great Britain during pleasure, with a large stipend dependent upon the will of the crown, with all officers, civil and military, subject to his appointment or consent, with a castle in the hands of a standing army stationed in the very bowels of the land, no people can ever be truly free. II. That the parliament of Great Britain usurping and exercising a legislative authority over, and extorting an *unrighteous* revenue from these colonies, is against all *divine* and human laws. The late appointment of salaries to be paid to our superior court judges, whose creation, pay, and commission, depend on mere will and pleasure, completes a system of bondage equal to any ever fabricated by the combined efforts of the ingenuity, malice, fraud, and wick-



edness of man. III. That it is the opinion of BOOK XVI.  
this town, that a despotic arbitrary government   
is the kingdom of this world, as set forth in the 1772.  
New Testament, and has a direct tendency to  
sink a people into a profound state of ignorance  
and irreligion; and that if we have an eye to  
our own and posterity's happiness, not only in this  
world but in the world to come, it is our duty to  
oppose such a government. The inhabitants of  
Petersham conclude with a declaration, "that  
it is highly becoming towns and individuals to  
humble themselves before Almighty God, seri-  
ously to commune with their own hearts, and seek  
carefully with tears for the causes of the prevail-  
ing distresses of the land; and they express their  
confidence that God will not suffer this land  
where the Gospel hath flourished, to become a  
slave of the world. He will stir up witnesses of  
the truth, and in his own time spirit his people  
to stand up for his cause, and deliver them. In  
a similar belief that patriot of patriots, the great  
Algernon Sydney, lived and died, and dying  
breathed a like sentiment and prophecy touching  
his own and the then approaching times—a pro-  
phesy however not accomplished until a glorious  
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ted language of these resolutions is itself a most  
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BOOK these effusions of enthusiastic zeal. By a long  
XVI. series of acts of irritation and oppression on the  
1772. part of Britain, a spirit of resentment, scarcely  
short of phrenzy, was excited throughout America. All seemed to feel the influence of “the madding hour;” and by the natural and determinate operation of a system detested and detestable, a system by which the present reign has been so conspicuously and fatally marked, was this change wrought in a loyal, orderly, and peaceable people, distinguished above all others for their love of liberty and hatred of licentiousness—all ranks and conditions of whom gloried in their connection with Britain, rejoiced in her friendship and protection, and triumphed in her prosperity.

During the session of the Massachusetts’ assembly, in the summer of 1773, a discovery was made which added fresh fuel to the flame long since kindled in that province. The celebrated Dr. Franklin, agent of the house of representatives in England, had by some unknown means acquired possession of certain letters written in confidence by the governor Hutchinson, the lieutenant-governor Oliver, and others, to divers of their friends and correspondents in England, in which they express themselves very freely on the situation of affairs in America; and their sentiments are such as might reasonably be ex-



pected from their public conduct. The writers appear to have been men very respectable in their private characters; but viewing the transactions which were passing before them through a thick cloud of prejudice, resentment, and interest, they discover an eager solicitude that government should adopt more violent, or, in their language, more vigorous, measures in support of its authority; and in their laudable anxiety for the re-establishment of order and tranquillity, they seemed not in the least to suspect that of such measures a civil war must be the inevitable result: nor had they the wisdom or magnanimity to comprehend, that far other ties than military force and imperious edicts were necessary to form that bond of connection which could alone restore peace and prosperity to the colonies, or render the connection itself advantageous or honorable to the mother country. These letters were, by a license which cannot be justified, even though prompted by motives the most patriotic, transmitted by Dr. Franklin to his constituents at Boston, upon whom they made an impression much easier to conceive than to describe. "This," says Mr. Hutchinson in one of his letters, "is most certainly a crisis. If no measures shall have been taken to secure the dependence of the colonies, besides some declaratory acts and resolves, it is all over with us.



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There must be an *abridgment* of what are called *English liberties*;" and he lays it down as a maxim, "that a colony cannot enjoy all the liberty of the parent state. I wish," says he, "the good of the colony, when I wish to see some *farther restraint of liberty* rather than the connection with the parent state should be broken." In another letter he expresses "his hopes that provisions for dissolving the commercial combinations, and for *inflicting penalties* on those who do not renounce them, would be made as soon as parliament meets." Mr. Oliver, the lieutenant-governor, intimates that the officers of the crown, i. e. the governor, lieutenant-governor, and judges, ought to be made independent of the people; for, says he, it is a difficult matter to serve two masters. The government, he affirms, has been too weak to subdue the turbulent spirits. He insinuates the expediency of "TAKING OFF" those persons whom he styles "the original incendiaries." He wishes for the institution of an order of patricians, and asserts the necessity of an "ALTERATION OF THE CHARTERS." The assembly, thrown into a violent flame by the reading of these letters, unanimously resolved, "that the tendency and design of the said letters was to overthrow the constitution of this government, and to introduce arbitrary power into the province;" and a petition



was immediately voted to the king, to remove the governor Hutchinson, and the lieutenant-governor Oliver, for ever from the government of the province.

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This PETITION being transmitted to the agent of the assembly, Dr. Franklin, was by him delivered to Lord Dartmouth; and on its being presented to the king, his majesty signified his pleasure that it should be laid before him in council. On the 29th of January, 1774, Dr. Franklin was summoned in his official capacity as agent of the province in support of the petition. Mr. Wedderburn, since raised to the dignity of the peerage by the title of lord Loughborough, and promoted to the high office of chancellor of Great Britain, appearing as counsel for the defendants, delivered in that capacity, against the agent, the house of representatives, the province of Massachusetts, and the whole continent of America, one of the most extraordinary invectives that was on any occasion perhaps ever heard in the council-chamber. “Dr. Franklin,” said Mr. Wedderburn, “stands in the light of the *first mover* and *prime conductor* of this whole contrivance against his majesty’s two governors; and having, by the help of his own special confidants and party leaders, first made the assembly *his* agent in carrying on his own secret designs, he now appears before your lordships to give the finish-

Petition of  
the Massa-  
chusetts’  
assembly to  
the king.



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ing stroke to the work of his own hands. How these letters came into the possession of any one but the right owners, is a mystery for Dr. Franklin to explain. Your lordships know the train of mischiefs which followed this concealment\*. After they had been left for five months to have their full operation, at length comes out a letter, which it is impossible to read without horror, expressive of the coolest and most deliberate malevolence. My lords, what poetic fiction only had penned for the breast of a cruel African, Dr. Franklin has realized and transcribed from his own—His too is the language of a ZANGA :

————— Know then 'twas I !

I forged the letter, I disposed the picture ;

I hated, I despised, and I destroy !

And he now appears before your lordships, wrapped up in impenetrable secrecy, to support

\* In consequence of the transmission of these letters, a duel was fought between Mr. Whately, brother to the correspondent of the two governors, and Mr. Temple, who was suspected, without just cause, of being accessory to the communication of them ; and in this rencounter Mr. Whately was dangerously wounded. Such was the unfortunate incident which by Mr. Wedderburn was infamously represented as the proposed result of the malevolent artifices of Dr. Franklin. That great man remarked upon this occasion, “That though the invectives of the solicitor-general made no impression upon him, he was indeed sorry to see the lords of the council, who constituted the dernier court in colonial affairs, so rudely and indecently manifesting the pleasure they received from it.”



a charge against his majesty's governor and lieutenant-governor, and expects that your lordships should advise the punishing them on account of certain letters which he will not produce, and which he dares not tell how he obtained. These are the lessons taught in Dr. Franklin's school of politics. With regard to his constituents, the factious leaders at Boston, who make this complaint against their governors, if the relating of their evil doings be criminal, and tending to alienate his majesty's affections, must not the doing of them be much more so? Yet now they ask that his majesty will gratify and reward them for doing these things, and that he will punish their governors for relating them, because they are so very bad that it cannot but offend his majesty to hear of them." From these passages some judgment may be formed of the general strain of this famous Philippic, which, violating every rule and limit of decorum, stands upon record as the grossest insult ever offered to a great and venerable character, the most distinguished ornament of his age and country. A wise government would have known his value, and been happy to have availed itself of his experience and sagacity; but the counsels of a Franklin, under the present reign, were not likely to preponderate over those of a Hutchinson. The report of the lords of the council was in a few



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days afterwards made, the KING's most excellent majesty being present, "that the petition in question is founded upon false and erroneous allegations, and that the same is groundless, vexatious, and scandalous, and calculated only for the seditious purposes of keeping up a spirit of clamour and discontent in the province." And his majesty was pleased, upon taking the said report into consideration, to approve thereof, and to order the said petition of the assembly of Massachusetts to be dismissed accordingly. Such was the mode in which a petition from the first provincial legislature in the empire, composed of men eminent for ability and integrity, was treated by the British government, which perhaps had never duly pondered the ancient maxim of moral and political wisdom, "that pride goeth before destruction, and a haughty spirit before a fall\*." But a matter of higher import, and attended with far more serious consequences, which at this time took place, is now to be related.

New modification of the American tea duty.

When at a very early period of lord North's administration the duties on paper, glass, and colors, were repealed, it has been already remarked that the duty on TEA was purposely left as a mark of legislative supremacy. The East-India

\* Maximè adducuntur plerique, ut eos justitiæ capiat oblivio, cum in imperiorum, honorum, gloriæ, cupiditatem inciderunt.—CICERO.



Company, finding their stock of tea to accumulate in their warehouses in consequence of the loss of the American market, were very urgent with the minister to repeal the American import duty of threepence per pound, offering in lieu of it to pay double the sum on exportation. A fairer opportunity could not occur to terminate the dispute. As the duty would not have been taken off at the instance of the Americans, either in the dread of their resentment, or in the prospect of their advantage, it might have been hoped that the most strenuous stickler for “the dignity of the crown” and “the honor of parliament,” whose sleeping and waking dreams had centred solely in these beloved and darling objects, might at length have banished his perturbations, and pressed his pillow in peace. This concession, however, the minister was not inclined, or, which is far more probable, was not PERMITTED to make; and things remained on this footing, till in the session of 1773 the act passed for allowing the exportation of TEAS duty-free; and the Company, eager to make a grand effort to relieve themselves from their difficulties, were buoyed up with the flattering expectation, by becoming their own factors, of regaining possession of the American market; for, when the teas were actually transported across the Atlantic and lodged in warehouses, the mere circum-



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stance of their having previously paid the import duty would not, it was imagined, impede the Company's sales. In this idea, however, they were most egregiously and fatally mistaken.

The Americans considered this new attempt in no other light than as an insidious artifice and collusion, calculated and designed to inveigle them into the payment of this tax, in order to ESTABLISH THE PRECEDENT; and they were firmly and unanimously determined that no such project should take effect. Six hundred chests were by the Company, in pursuance of the late act, consigned to their agent at Boston, the like quantity to New York and Philadelphia, and in proportion to the other principal ports of the continent. Pennsylvania on this occasion distinguished herself by setting the first example of opposition. A general meeting was convened at Philadelphia, in which a series of vigorous resolutions were passed, "declaring this new ministerial plan of importation to be a violent attack upon the liberties of America, and pronouncing it to be the duty of every American to oppose this attempt; and whoever should directly or indirectly countenance it was an enemy to his country." A committee was then appointed to wait upon the consignees of the Company, and to *request* their resignation; which was immediately complied with. At New York, on the



arrival of the tea-ships in December, they were with difficulty permitted to approach the wharf; and, as at Philadelphia, the consignees were compelled to relinquish their appointments, and the ships returned back to England without breaking bulk. At Charlestown, after much opposition and tumult, the tea was permitted to be unloaded, but was immediately lodged in damp unventilated cellars, where it long remained, and finally perished. In no place was the delivery of it to the consignees suffered; and in most the captains of the India ships, on being apprised of the temper and disposition of the people, without any attempt to land, wisely set their sails for England. At Boston the spirit of resistance rose to a height which made the excesses committed elsewhere appear trivial. At a general meeting of the inhabitants, the resolves of the city of Philadelphia were unanimously adopted, and a committee appointed to wait upon the consignees, to know whether they would resign their appointments; which they declared not to be in their power. At a succeeding meeting at Faneuil Hall, it was voted with loud acclamations, “that the tea shall not be landed, that no duty shall be paid, and that it shall be sent back in the same bottoms.”—“We must not,” said a leading member of the assembly, “flatter ourselves, that popular resolves, popular shouts

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Tumults  
consequent  
thereupon  
in the colonies.



BOOK or harangues, will vanquish our foes or terminate  
XVI. our trials. We must be ignorant of the power  
1774. of those who have combined against us; we must  
be blind to that malice, inveteracy, and revenge,  
which have uniformly actuated their conduct, to  
hope that we shall end this controversy without  
the sharpest, sharpest conflict. Let us weigh and  
consider, before we determine upon those mea-  
sures which must bring on the most terrible  
struggle which this country ever experienced.”  
The question was again put, and passed without  
a negative. On an application from the captain  
of the Dartmouth East-Indiaman to the governor  
for a clearance, he replied, “I cannot give you  
a pass consistent with the laws and my duty to  
the king, unless the vessel is properly qualified  
from the custom-house.” Upon this answer be-  
ing reported to the assembly, the meeting was  
declared to be dissolved. An immense crowd  
repaired in haste to the quay, and a number of  
the most resolute, in the disguise of Mohawk  
Indians, boarded the vessels, and in about two  
hours broke open three hundred and forty-two  
chests of tea, and discharged their contents into  
the sea. Such was the consequence of the ob-  
stinacy of the governor, who might have recol-  
lected that his predecessor sir Francis Bernard,  
in a like exigency, granted permits to many  
ships not qualified for want of stamps, and that



the prudence and propriety of his conduct had never been called in question. But the present governor had long been the urgent advocate for measures of coercion on the part of Great Britain, and was probably not displeased to see matters tending to a crisis; and, in a subsequent declaration, he assigned, somewhat unwarily, as one of the reasons for this refusal, “that by a compliance with the demand of the people *he should have rendered himself* OBNOXIOUS *to his* SOVEREIGN.” This undoubtedly is the MASTER-KEY which unfolds all the apparent absurdities and extravagancies of his conduct. The temper of the British court was so well understood in America, that no one presumed to hope they would be induced, by this determined and inflexible spirit of opposition in the colonies, to desist from their ruinous projects. On the contrary, measures of vengeance were confidently expected; and even persons of acknowledged moderation, on perceiving the ideas which they had long cherished of reconciliation to be hopeless, declared their resolution, in case matters were carried to extremity in Great Britain, to join the standard of their countrymen. A major of provincials, who had been foreman of the jury on the trial of captain Preston, and to whom, in reward of his meritorious conduct, the governor had given this commission, said to him



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with unexpected energy, “Sir, you know that I am a friend to government, and wish to support it; but if any attempt be made to violate our CHARTER, I will fight up to my knees in blood in defence of it.”

On the meeting of the general court of Massachusetts, A. D. 1774, the house of representatives seemed in no respect disposed to recede from the highest claims and pretensions they had formed. On the contrary, they, by a new assumption of authority, determined upon an impeachment of the chief justice Oliver, for refusing to relinquish the salary settled upon him by the crown—which, combined with the hope of its augmentation, they affirmed “must have the effect of a perpetual bribe, and expose him to the violation of his oath—that the acceptance of this salary unprecedented in all former times, was a breach of his implied engagements on entering into his office; and that, by receiving a grant payable out of the revenue unjustly extorted from the American colonies, he had given a sanction to the injustice, counteracted the petitions of the people, and wickedly endeavoured to increase the discontents and jealousies which had originated from the grievance.” The governor refusing to receive this accusation, no other effect resulted from it than to render the governor and the chief justice more ob-



noxious, and to keep alive the spirit of animosity and resistance. BOOK  
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On the 13th of January, 1774, the parliament of Great Britain was convened at Westminster. 1774.  
Session of  
parliament.  
The ministry not being as yet in possession of full information from America, the speech from the throne observed a profound silence relative to the late transactions; but on the 7th of March a message was delivered from his majesty to both houses of parliament, informing them, that, “in consequence of the unwarrantable practices carried on in North America, and particularly of the violent and outrageous proceedings at the town and port of Boston, with a view of obstructing the commerce of this kingdom, and upon grounds and pretences immediately subversive of its constitution, it was thought fit to lay the whole matter before parliament—recommending it to their serious consideration what further regulations or permanent provisions might be necessary to be established.” Lord North, who presented the message, laid at the same time before the house of commons a great number of papers, which sufficiently showed the daring and seditious spirit which now prevailed over the whole continent of America. His lordship, on enlarging upon these *documents*, represented the conduct of the inhabitants of Boston in the most atrocious light. He asserted that



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the utmost *lenity* on the part of the governor, PERHAPS TOO MUCH, had been already shown; and that this town, by its late proceedings, had left government perfectly at liberty to adopt any measures they should think convenient, not only for redressing the wrong sustained by the East-India Company, but for inflicting such punishment as their factious and criminal conduct merited; and that the aid of parliament would be resorted to for this purpose, and for vindicating the *dignity of the crown*, so daringly and wantonly attacked and contemned." The speech of the minister was received with great applause, and the house appeared clearly and unanimously of opinion that firm and vigorous measures were at this crisis absolutely necessary. It was then moved, "that an address of thanks should be presented to the king, assuring his majesty that they would not fail to exert every means in their power of effectually providing for the due execution of the laws, and securing the dependence of the colonies upon the crown and parliament of Great Britain." This excited some faint show of opposition, and it was remarked, "that similar assurances had been already often repeated, but that the measures hitherto adopted by ministers for the support and DIGNITY OF THE CROWN had only exposed it to scorn, obloquy, and contempt. That the present case



was of the utmost importance they admitted, and it required therefore an attentive and impartial examination. In order to do the Americans justice, it was necessary to trace the source of these calamities to their origin, in a system of arbitrary and unwise measures at home." No inclination however appeared to enter into any retrospective investigations, and the address was finally agreed to, and presented to the king.

In a short time the minister began to develop his grand plan of coercion and punishment, by the introduction of a bill for discontinuing the lading and shipping of goods, wares, and merchandize, at the town of Boston or the harbor thereof; and for the removal of the custom-house, &c. to the town of Salem. This bill was to continue in force, not only till full and ample compensation was made to the East-India Company for the damage sustained by them, but till the king in council should declare himself satisfied as to the restoration of peace and good order in the town. This bill was honored with the general approbation of the house; and it was unavailingly urged by a few individuals, that the penal clauses of the bill should be carried into execution only on the proviso of a refusal to indemnify the Company on the part of the town, and that the house should not condemn without evidence in the absence of the

Boston Port  
Bill.



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parties. Such was the indignation excited by the late atrocious violation of the laws, that the house appeared reluctant to listen to any palliative arguments or persuasives to moderation ; and it must indeed be acknowledged that the empire was now, by unexampled indiscretion, brought into a fearful and hazardous dilemma. Good policy evidently suggested conciliation as the grand object which ought not for a moment to be lost sight of. It was first, and last, and midst, in every generous and reflecting mind ; but then this conciliation ought not to be accompanied with any real degradation on the part of Great Britain. It was not less for the advantage of America than of Britain, that the just and constitutional authority of the mother country, upon the antient and established principles of superiority and subordination, should be maintained. To pass over such enormities as had now taken place without notice or animadversion would indeed have been a dereliction of that authority ; but great caution was necessary, now that the passions were awakened, so to temper justice with lenity, as to demonstrate that the decisions of the supreme power of the empire were neither tinctured with the meanness of malice nor the folly of revenge. Had the penal clauses of the Boston Port Bill been properly modified, and the duty on tea, which had given rise to



these fatal contentions, at the same time repealed, there is no doubt but a compensation to the Company would have been immediately voted, the honor of government would have been maintained, and a sure foundation laid for a permanent reconciliation. But how rarely are the resolutions adopted in anger founded in wisdom! The idea of this repeal was suggested in the house of commons, but repressed with ineffable disdain, and the bill passed both houses without a division. While it was yet pending, a petition from the natives of America resident in London was unavailingly presented to the house of commons, stating "the deep sorrow with which they understood that this honorable house was about to pass a bill to punish, with unexampled rigour, the town of Boston for a trespass committed by some persons unknown upon the property of the East-India Company, without the said town's being apprized of any accusation brought against them, or being permitted to hear the evidence or make their defence. Your petitioners say they conceive such proceedings to be directly repugnant to every principle of law and justice, and that under such a precedent no man or body of men in America could enjoy a moment's security. Your petitioners conceive that there is not an instance, even in the most arbitrary times, in which a



BOOK city was punished by parliamentary authority,  
XVI. without being heard, for a civil offence not  
1774. committed within their jurisdiction, and without  
redress having been sought at common law; and  
they conclude with the aphorism, that the at-  
tachment of America cannot survive the justice  
of Britain."

Very soon after this a second bill was intro-  
duced by the minister, for the better regulating  
the government of the province of Massachusetts  
Bay. By this bill the charter of the province  
was entirely subverted, and the nomination of the  
counsellors, judges, and magistrates of all kinds,  
including sheriffs, was vested in the crown, and  
all these officers made removable at PLEASURE.  
This bill the minister affirmed to be absolutely  
necessary, for preventing the rest of the colonies  
from being tainted by the seditious example of  
Massachusetts Bay. The opposition now seemed  
to rise into some degree of firmness and vigor.  
It was asked, whether the colonies already regu-  
lated nearest to the manner proposed by this bill  
were more submissive to the right of taxation  
than Massachusetts? It was asserted that the dis-  
order lay much deeper than in any diversities that  
subsisted in the colonial forms of government;  
that the people throughout the whole extent of  
that vast continent were universally dissatisfied,  
and the uneasiness and resistance were no less in



the royal governments than in any other. By an invasion of the charter, the cause of Massachusetts will be made the common cause of all the colonies, who have no other or better security for the continuance of their own." The virtuous Dowdeswell, who combined the inflexibility of a Shippen with the liberality and generosity of a Stanhope, called upon the house to "recollect that the province of Massachusetts had flourished for fourscore years under their old and democratic charter. It was granted in the reign of king William, and breathed a spirit of liberty unknown to modern times. They have increased their possessions and improved their lands to an unexpected and unexampled pitch, and we have reaped the benefit of their labor;—yet you are now, said this true patriot, going to destroy that very charter which has subsisted to the mutual advantage of both this country and America. The regulations enacted by the bill in question were, he affirmed, so bad, that it would be infinitely better to let matters take their course, than attempt the correction of any irregularities by so inadequate and at the same time so violent a remedy. He conjured the house to preserve temper and moderation in their proceedings, and to avoid such harsh and odious exertions of their authority." The flagrant injustice of divesting a people of their chartered rights, without suf-

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fering them so much as to be heard in their own behalf, being forcibly and repeatedly urged, lord North in hesitating accents declared, "that it rested upon the ground of an over-ruling political necessity. If," said he, "it does not stand upon that ground, it stands upon nothing." But Mr. Jenkinson in bold and lofty language avowed as a fixed and universal axiom of government, "that in matters of high political regulation no obligation to hear the parties existed; and that justice was not violated in the present instance by the refusal of evidence."—"I see," said colonel Barré with his usual ardor, "nothing in these measures but inhumanity, injustice, and wickedness, and I fear that the avenging hand of Heaven will fall heavy upon this country." The bill was finally carried by a prodigious majority of 239 against 64 voices, May 2, 1774.—In the house of lords it did not pass without the severest strictures; the final division on the general question was 92 to 20, and an animated and excellent protest against it was signed by eleven peers, amongst whom were the dukes of Richmond and Portland, and the marquis of Rockingham. "Before the rights of the colony of Massachusetts Bay, which they derive from their charter, are taken away, the definite legal offence by which a forfeiture of that charter is incurred," say their lordships, "ought to have been clearly



stated, and the parties heard in their own defence; and the mere celerity of a decision against it will not reconcile the minds of the people to that mode of government which is to be established upon its ruins. On the general allegations of a declaratory preamble, the rights of any public body may be taken away, and any visionary scheme of government substituted in their place. By this bill, the governor and council are invested with dangerous powers, unknown to the British constitution, and with which the king himself is not intrusted. By the appointment and removal of the sheriff at pleasure, they have the means of returning such juries as may best suit with the gratification of their passions and interests; the life, liberty, and property of the subject are put into their hands without controul. The weak, injudicious, and inconsistent measures of the ministry have given new force to the distractions of America, which on the repeal of the Stamp Act were subsiding,—have revived dangerous questions, and gradually estranged the affections of the colonies from the mother country. To render the colonies *permanently advantageous*, they must be SATISFIED WITH THEIR CONDITION. That satisfaction there is no chance of restoring, but by recurring to the principles on which the repeal of the Stamp Act was founded.”

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The next step was, to bring in a bill for the impartial administration of justice in the province of Massachusetts Bay. This bill provided, that in case any person was indicted in that province for murder or any other capital offence, and it should appear, by information given on oath to the governor, that the fact was committed in the exercise or aid of magistracy in suppressing riots, and that a fair trial could not be had in the province, he should send the person so indicted to any other colony, or to *Great Britain*, to be tried; the act to continue in force four years. This was the counter-part of the obsolete and tyrannical act of Henry VIII. lately revived for the trial in Great Britain of treasons committed in America. As that was intended for the punishment of the enemies of government, this was designed for the impunity of its friends. The opposition to this bill in both houses, though it finally passed by great majorities, was warm and vigorous. In a transport of indignation, a patriotic member of the house, Mr. Sawbridge, declared on the first presentation of this bill, “that it was evidently meant to enslave America—that the same minister who would enslave the colonies, would also, if he had an opportunity, enslave Great Britain. It is his aim, and he wishes to do so. But I sincerely hope the Americans will not admit of the execution of these destructive bills, but nobly re-



fuse them. If they do not, they are the most abject wretches that the earth ever produced, and nothing that the minister can do is base enough for them.”—“By this bill,” said colonel Barré, at the close of an admirable speech, “you are offering the last of human outrages to the people in America, by subjecting them in effect to military execution : instead of sending them the olive branch, you have sent the naked sword. What madness is it that prompts you to attempt obtaining that by force, which may be with so much more facility and certainty procured by requisition ? Retract your odious exertions of authority, and remember that the first step towards making them contribute to your wants is to reconcile them to your government.”—While this and the former bill for altering the charter were still pending in the house of commons, a second petition from the natives of America resident in England was presented by sir George Saville, representing in strong and striking terms the fatal effects they were calculated to produce. They declare that “they could not perceive any difference between the most abject slavery and such entire subjection to a legislature, in the constitution of which they had not a single voice as would leave them nothing they can call their own. In a distress of mind which cannot be described, they conjure the house not to convert that zeal and affection



BOOK which have hitherto united every American hand  
XVI. and heart in the interest of England, into passions  
1774. the most painful and pernicious; and they hum-  
bly and earnestly pray that the house will not  
persevere in measures which must reduce their  
countrymen to the most abject state of misery and  
humiliation, or drive them to the last resources  
of despair." This petition was coldly and dis-  
dainfully ordered to lie upon the table. In the  
course of the debate, Mr. Fox, who had recently  
been dismissed from his seat on the Treasury  
bench with circumstances of peculiar rudeness  
and indignity, expressed his utter detestation and  
abhorrence of the present measures. The bill  
now under consideration he pronounced to be  
both wanton and wicked. "If we treat the Ame-  
ricans," said he, "as subjects, the bill goes too far;  
if as rebels, it does not go far enough. We are  
going to destroy their charter without hearing  
the parties in their defence. To such measures  
he trusted they would never submit." The house  
divided 127 to 24. In the upper house this ty-  
rannical bill was opposed by the marquis of  
Rockingham with all the weight and authority of  
a great statesman, and all the feelings of a patriot  
deeply concerned for the interest of his country.  
On the passing of the bill, a protest not less spi-  
rited than the former was entered against it in  
the Journals. "This bill," said the protesting



peers, "after the proscription of the port of BOOK  
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Boston, the disfranchisement of the colony of 1774.  
Massachusetts Bay, and the variety of provisions which have been made in this session for new modelling the whole polity and judicature of this province, is an humiliating confession of the weakness and inefficacy of all the proceedings of parliament. By supposing that it may be impracticable, by any means that the public wisdom could devise, to obtain a fair trial there for any who act under government, the house is made virtually to acknowledge the British government to be universally odious to the whole province, and to the whole continent. This bill seems to be one of the many experiments towards an introduction of essential innovations into the government of this empire. The virtual indemnity provided by this bill for those who should be indicted for murders committed under color of office, can answer no other purpose. We consider that to be an indemnity which renders trial and consequently punishment impracticable; and trial is impracticable when the very governor, under whose authority acts of violence may be committed, is empowered to send the instruments of that violence to 3000 miles distance from the scene of their offence, the reach of their prosecutor, and the local evidence which may tend to their conviction."



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It was a wonted saying of the famous sir Francis Walsingham, “that a statesman must observe the joints and flexures of affairs ;” but this was a species of knowledge which the ministers of George III. disdained to study. All things must, at all events, bend to their will ; and if no “joints or flexures” were discernible, the resistance was to be overcome by acts and instruments of political torture. Every idea of serious opposition on the part of America seemed however to be treated by them with extreme contempt. Mr. Jenkinson observed, that “we had gone into a very expensive war for the attainment of America. The struggle we shall now have to keep it will be but of little expense.”—“The good of this act,” said lord North, speaking of the Boston Port Bill, “is, that four or five frigates will do the business without any military force. Now is our time to stand out,” said the minister, “to defy them, to proceed with firmness and without fear. It will be enough to show that Great Britain is in earnest.” On the bill for the impartial administration of justice, he assured the house that he entertained no doubt but that the spirit of disobedience which had hitherto unfortunately prevailed, would be tempered and brought to reason by the operation of the measures now taken, and that the event would be advantageous and happy to this country.



This bill being passed, and the recess ap-  
 proaching, many members were about to retire  
 into the country, when their attention was re-  
 called to another bill, for making more effectual  
 provision for the government of the province of  
 Quebec. It passed through the house of lords,  
 where it originated, with unexpected facility;  
 but met with an opposition in the house of  
 commons more vehement than any of the former.  
 The principal objects of the bill were, to ascer-  
 tain the limits of the province, which were now  
 extended far beyond those settled by the procla-  
 mation of 1763, including that vast tract of ter-  
 ritory southward of the Lakes, and bordering  
 upon the great rivers Ohio and Mississippi; to  
 establish a legislative council, the counsellors to  
 be appointed by the crown, and the office to be  
 held during pleasure; to confirm the French  
 laws and a trial without jury in civil cases; the  
 English laws and a trial by jury in criminal; to  
 secure to the Roman-catholic clergy the legal  
 enjoyment of their tythes from all who were of  
 their own religion. The revenue of the pro-  
 vince was consigned in the first instance to the  
 board of Treasury, for the support of an unlimited  
 civil list and the administration of justice; the  
 judges holding their offices and salaries during  
 pleasure. Thus the government of Quebec was  
 converted into a legal despotism, committed by

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BOOK parliament into the hands of the crown ; and a  
XVI. striking proof was exhibited to the world, what  
1774. the other provinces of America had to expect, when reduced to *a loyal and dutiful* submission. The provision made by this act for the Roman-catholic clergy occasioned a considerable degree of odium and unpopularity to attend it without doors : but the zealous friends of liberty with grief and astonishment perceived that the public at large not only acquiesced in, but approved and applauded, the measures now adopted for the subjugation and enslavement of America. So true is it, that a nation, which would risque every thing to secure its own liberty, may be not the less inclined, upon that account, to domineer and tyrannize over others.

Lord Chatham's state of health, during the two preceding sessions, had precluded him from making any considerable parliamentary exertions, and he had rarely attended the house on any occasion ; but, finding himself at this period somewhat relieved from the pressure of his complaints, he took the opportunity, on the third reading of the bill for quartering soldiers in America, to lay before the house and the public his thoughts on this bill, and on American affairs in general, in a speech worthy of his distinguished talents and illustrious reputation. " If," said he, " my lords, we take a transient view of those mo-



tives which induced the ancestors of our fellow-  
subjects in America to leave their native country, to encounter the innumerable difficulties of the unexplored regions of the western world, our astonishment at the present conduct of their descendants will naturally subside. There was no corner of the globe to which they would not have fled, rather than submit to the slavish and tyrannical spirit which prevailed at that period in their native country; and viewing them in their originally forlorn and now flourishing state, they may be cited as illustrious instances to instruct the world what great exertions mankind will naturally make, when left to the free exercise of their own powers. Notwithstanding my intention to give my hearty negative to the question now before you, I condemn, my lords, in the severest manner, the turbulent and unwarrantable conduct of the Americans in some instances, particularly in the late riots at Boston; but, my lords, the mode which has been pursued to bring them back to a sense of their duty is so diametrically opposite to every principle of sound policy, as to excite my utmost astonishment. You have involved the guilty and the innocent in one common punishment, and avenge the crime of a few lawless depredators upon the whole body of the inhabitants. My lords, the different provinces of America, in the excess

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of their gratitude for the repeal of the Stamp Act, seemed to vie with each other in expressions of loyalty and duty ; but the moment they perceived that your intention to tax them was renewed, under a pretence of serving the East-India Company, their resentment got the ascendant of their moderation, and hurried them into actions which their cooler reason would abhor. But, my lords, from the whole complexion of the late proceedings, I cannot but incline to think, that administration has purposely irritated them into these violent acts, in order to gratify their own malice and revenge. What else could induce them to dress Taxation, the father of American Sedition, in the robes of an East-India Director, but to break in upon that mutual peace and harmony which then so happily subsisted between the colonies and the mother country ? My lords, it has always been my fixed and unalterable opinion, and I will carry it with me to the grave, that this country had no right under heaven to tax America. It is contrary to all the principles of justice and civil policy : it is contrary to that essential, unalterable right in nature, ingrafted into the British constitution as a fundamental law, that what a man has honestly acquired is absolutely his own, which he may freely give, but which cannot be taken from him without his consent. Pass then,



my lords, instead of these harsh and severe edicts, an amnesty over their errors; by measures of lenity and affection allure them to their duty; act the part of a generous and forgiving parent. A period may arrive, when this parent may stand in need of every assistance she can receive from a grateful and affectionate offspring. The welfare of this country, my lords, has ever been my greatest joy, and under all the vicissitudes of my life has afforded me the most pleasing consolation. Should the all-disposing hand of Providence prevent me from contributing my poor and feeble aid in the day of her distress, my prayers shall be ever for her prosperity:—‘Length of days be in her right hand, and in her left hand riches and honor! May her ways be ways of pleasantness, and all her paths be peace!’

The only effort of a nature directly conciliatory in the course of the present session was made by Mr. Rose Fuller, member for Rye, who on the debate on the Boston Port Bill had given a very politic and judicious opinion, that the mode of punishment ought to be altered to a fine of 20,000*l.* to the East-India Company for the demolition of their tea, and another fine to his majesty for damages done. This gentleman, on the 19th April, 1774, moved, that the house resolve itself into a committee, to take into



BOOK consideration the duty on the importation of teas  
XVI. into America, and the appropriation of the same,  
1774. with a view to its repeal. This motion was  
seconded and powerfully supported by Mr. Edmund Burke, in an elaborate speech, which excited very considerable attention. This gentleman had, from the period of his first introduction to the house of commons, as confidential secretary to lord Rockingham during the administration of that nobleman, distinguished himself by the superiority and splendor of his parliamentary talents; and he might at this time be considered as the principal organ through which the political sentiments were communicated of that once widely-extended and potent connection of Whigs, of which lord Rockingham had, since the death of the duke of Newcastle, been considered the head. The tide of power, of fortune, and of royal favor, having long since flowed in a different channel, this party had been gradually deserted by many of their *summer friends*, but still remained highly respectable from the firm conjunction of various families of the first distinction, who had ever been numbered amongst the most zealous adherents of the Revolution and Protestant succession in the house of Hanover. The simple, unaffected, and unassuming manners of the marquis of Rockingham were amusingly contrasted in his repre-



sentative Mr. Burke, whose deportment was BOOK  
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lofty and supercilious, and whose speeches in parliament were for the most part characterized by a florid, diffusive, and ostentatious style of eloquence, ill-adapted to the investigation of truth, calculated rather to dazzle than inform, abounding with vanity and egotism, and apparently intended not so much to exhibit the merits of the cause as the abilities of the speaker. Nevertheless, they displayed a great extent of knowledge; they were enlivened with frequent flashes of wit; they were illuminated with much brilliancy of allusion and metaphor, and adorned with bursts of oratory, bold, beautiful, and sublime. During the life-time of the marquis of Rockingham, he appeared, not indeed without some remarkable deviations, to adhere with laudable zeal to the genuine principles of Whiggism: but from the lamented decease of that distinguished nobleman, he became on a sudden very capricious and eccentric in his conduct; and his judgment being naturally weak, and his passions proportionally violent and habitually indulged, the force of his genius in other respects has unfortunately only plunged, in the latter years of his life, deeper into the abysses of absurdity and extravagance.

Mr. Burke, on this occasion, with great truth and feeling declared, that “the conduct of the



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ministry respecting America had exhibited to the world a most instructive lesson upon the mischief of not having large and liberal ideas in the management of great affairs. They had never acted on any kind of system, right or wrong, but had had recourse to shifts and devices, in order meanly to sneak out of difficulties into which they had proudly strutted: nor did they possess the generous courage, when they found and felt their error, honorably and fairly to disclaim it. By such management, by the irresistible operation of feeble councils, so paltry a sum as three-pence in the eyes of a financier, so insignificant an article as tea in the eyes of a philosopher, have shaken the pillars of a commercial empire that circled the whole globe. The tax in question must be given up, for on what principle does it stand?—as a description of revenue not known in the comprehensive vocabulary of finance. It is a tax of sophistry, a tax of pedantry, a tax of disputation, a tax of war and rebellion, a tax for any thing but benefit to the imposers or satisfaction to the subject. Could I choose, the proposition for the repeal should go to America without the attendance of the penal bills. Though you should send out this angel of peace, yet you are sending out a destroying angel too; and what would be the effect of the conflict of these two adverse spirits I dare not say. All



this is in the hand of Providence : yet now, even now, I should confide in the prevailing virtue and efficacious operation of lenity, though working in darkness and in chaos, in the midst of all this unnatural and turbid combination."

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In the course of his speech, Mr. Burke took occasion to draw the political portraits of several personages who had, during the present reign, occupied the highest departments of the state. "To Mr. George Grenville, with whom the new colony system had originated, he affirmed that this country owed in other respects great obligation. He had, as Mr. Burke believed, a very serious desire to benefit the public ; but with no small study of the detail, he did not seem to have equally carried his view to the total circuit of affairs. He generally considered his objects in lights too much detached. This *great person* was bred to the law, a science rather calculated to invigorate than liberalize the understanding. Passing from that study, he did not go very largely into the world, but plunged into business—the business of office. But men too much conversant in office rarely possess minds of remarkable enlargement. Persons nurtured in the forms and habits of office do admirably well as long as things go on in their common order : but when the high roads are broken up, when the waters are out,



BOOK when a new and troubled scene is opened, *and the*  
XVI. *file affords no precedent*, then it is that a greater  
1774. knowledge of mankind, and a far more extensive  
comprehension of things, are requisite than ever  
office gave, or than office can ever give. He  
said, that in the year 1765, being in a very pri-  
vate station, unknowing and unknown, it was  
his fortune to become connected with a very  
noble person, the marquis of Rockingham, then  
at the head of the Treasury department; and that  
he was placed in a situation which enabled him  
to discern in that noble person such sound prin-  
ciples, such an enlargement of mind, such clear  
and sagacious sense, and such unshaken fortitude,  
as had bound him, as well as others much bet-  
ter than him, by an inviolable attachment. The  
question of the repeal of the Stamp Act was  
brought on by the marquis, in the very instant  
when it was known that negotiations were car-  
rying on between the court and the leaders of  
opposition. In the midst of a chaos of plots and  
counter-plots, of warfare against public opposi-  
tion and private treachery, it was that the firm-  
ness of this noble person was put to the proof.  
Every thing was full of traps and mines; earth  
below shook; heaven above menaced. All the  
elements of ministerial safety were dissolved; yet  
he remained fixed and determined in principle,  
in measure, and in conduct. He practised no



management, he sought no apology, he secured no retreat ; but on the conclusion of an inquiry which lasted six weeks, by a noble, spirited, and unexpected majority, in the teeth of all the old mercenary Swiss of state, in defiance of the whole embattled legion of veteran pensioners and practised instruments of a court, gave a total repeal to the Stamp Act,—and, if it had been so permitted, a lasting peace to the empire.” Of lord Chatham, Mr. Burke said, that “ the venerable age of this great man, his merited rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he filled in the eye of mankind, forbade him to censure his conduct ; and to flatter him he was afraid. Let those who have betrayed him by their adulation insult him by their malevolence. For a wise minister, however, speaking with the freedom of history, Mr. Burke said, he must surely be acknowledged to have adopted measures greatly mischievous to himself, perhaps for that reason fatal to his country ;—MEASURES, the effects of which are, I am afraid, FOR EVER INCURABLE. He made an administration so chequered and speckled ; he put together a piece of joinery so crossly indented, and whimsically dove-tailed ; a cabinet so variously inlaid, such a piece of diversified mosaic, such a tessellated pavement without cement, here a bit of black stone and there a

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bit of white; patriots and courtiers, king's friends and republicans, Whigs and Tories, treacherous friends and open enemies; that it was indeed a very curious show, but utterly unsafe to touch, and unsure to stand on. When his face was hid but for a moment, his whole system was on a wide sea, without chart or compass, whirled about, the sport of every gust; and those of the mariners who were most directly opposite to his opinions, being by far the most artful and powerful of the set, seizing the helm, turned the vessel wholly out of the course of his policy." The house were much *amused* with these ingenious representations; but no other effect was produced, the numbers on the division being 184 to 51. The session ended June 21, 1774, and his majesty's speech contained a very high eulogium on the measures which had been adopted for the purpose of reclaiming his *deluded subjects*; and on the temper, firmness, and unanimity, which had been displayed in the deliberations of parliament, which *could not fail* of giving them the greatest weight. Indeed, such was the elation of the court and its partisans at this period, that America seemed in their apprehension already subdued, and a complete victory obtained before the battle was begun.

Governor Hutchinson, by whose advice the king and his ministers had been chiefly guided,



and who gave the most positive assurances that a speedy and general submission would be the consequence of the measures which he recommended, had been for some time past in England ; and general Gage, already commander of the troops stationed at Boston, was appointed governor of the province. He arrived in that city in the month of May 1774, and was received with that dead and melancholy silence which portended a tremendous storm. The intelligence of the Boston Port Bill had been recently received ; and on the day succeeding the arrival of the new governor a general meeting of the inhabitants was convened, in order to take it into consideration. At this meeting a resolution was passed, expressive of their ideas of the impolicy, injustice, and barbarity of the bill, and inviting the other colonies to join with them in a general agreement to put a stop to all exportation and importation to Great Britain and the West Indies till it should be repealed. Addresses from Virginia, Pennsylvania, the Carolinas, New York, and the other provinces, in a short time arrived, exhorting them, with many expressions of affection and sympathy, to resolution and perseverance ; and declaring, that they considered Boston as suffering in the common cause. One spirit, one undivided sentiment, of pity, indignation, and revenge, roused and per-



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vaded all. A general congress became the object of universal desire ; and Philadelphia being judged commodiously situated for the purpose, it was convened to meet in that city on the 1st of September, and in the mean time combinations were every where entered into to suspend all commercial intercourse with Great Britain ; and renouncing all communication with those who should refuse to sign this covenant, notwithstanding a proclamation from general Gage, styling such agreement an unlawful, hostile, and traitorous combination. An address being presented to him by the municipality of Boston, in which the rights of the colonies were asserted in a high and resolute tone, the governor would not deign to hear it read to the end, declaring it to be an insult to his majesty and his government.

On the 25th of May, 1774, the new general court met as usual at Boston, when general Gage gave them notice of their removal to Salem by the late act. The assembly hastening the public business, in order to evade this necessity, the governor adjourned the court to the 7th of June, then to meet at Salem. The first business after this adjournment, on the subsequent meeting at Salem, was to appoint deputies to meet those of the other colonies in general congress at Philadelphia. The governor, having received



intimation of this design, dispatched his secretary with the greatest precipitation to dissolve the court: but, on his arrival, he found the doors fast locked; and knocking aloud for entrance, he was informed that the house was upon very important business, and till it was finished he could not be admitted. On which he read the proclamation of dissolution on the stairs leading to the hall of the assembly; but the nomination of deputies being previously made, this was considered as an important advantage gained against the governor.

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It was a part of the artful and malignant plan of the British ministers in framing the Boston Port Bill, by removing the commerce of that metropolis to Salem, and making it the seat of government, to establish a rivalry and enmity between these two places, from which they hoped to derive mighty advantages. But the magnanimous spirit by which the Americans were at this period universally actuated discovered itself very conspicuously in an address presented by the merchants and freeholders of the town of Salem to the governor, the day succeeding the dissolution of the general court. "We are," say they, "most deeply afflicted with a sense of our public calamities.—By shutting up the port of Boston, some imagine that the course of trade might be turned hither, and to our



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benefit ; but nature, in the formation of our harbor, forbids our becoming rivals in commerce with that convenient mart ; and were it otherwise, we must be dead to every idea of justice, and lost to all feelings of humanity, could we indulge one thought to seize on wealth, and raise our fortunes on the ruin of our suffering neighbours." Marblehead, a sea-port in the vicinity of Boston, vying in generosity with Salem, offered the merchants of that city the free use of its wharfs and stores. The unparalleled injustice and cruelty of this bill were the topics of universal execration ; it was said "to be so constituted, that enormous pains and penalties must ensue, notwithstanding the most perfect obedience to its injunctions ; as the port could not be again opened but by his majesty in council, in consequence of a previous certificate from the governor. Those charged with the most aggravated crimes are not punishable till arraigned before disinterested judges, heard in their own defence, and found guilty of the charge. But here a whole people are accused, prosecuted by they know not whom, proved guilty they know not how, and sentenced to inevitable ruin."

The rough drafts of the bills for altering the charter of Massachusetts ; for the *impartial* administration of justice ; and another for provid-



ing quarters for troops in America, arriving about this time at Boston, were instantly circulated through the continent, and filled up what was before wanting of violence and indignation in the several colonies. Even those who were moderate, or apparently wavering, now became resolute and resentful. The people at large expressed without reserve their conviction that the æra was fast approaching when it would be necessary for them to defend their rights with the edge of the sword. The colonial militia laws required every citizen to bear arms within a certain age; they were in general fond of military exercises, and abounded in excellent marksmen. They were now with great diligence employed in training and perfecting themselves in military evolutions and manœuvres. The sound of drums and fifes every where saluted the ear. Parents and children, husbands and lovers, the young and the old, were possessed by the same martial spirit, and were fired with the same glorious and enthusiastic zeal for liberty. Nothing was to be seen or heard of but purchasing of arms and ammunition, casting of balls, and the making all those preparations which testify the most immediate danger and determined resistance.

Soon after the arrival of general Gage, two additional regiments of foot, with a detachment



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of artillery and cannon, were landed at Boston, and encamped on the common. These troops were by degrees reinforced by the arrival of several regiments from Ireland, New York, Halifax, and at length from Quebec. The town of Boston is connected with the continent by a narrow isthmus of considerable length, on which a military guard was placed, and the entrance of the neck fortified by order of government; and so little intercourse subsisted between the city and the country, that the garrison found it already difficult to procure the means of subsistence. With the Charter Bill, the governor received a list of thirty-six counsellors, appointed by royal mandamus, twelve of whom declined to serve. The courts of judicature were totally suspended, the jurors refusing to take the oaths and to act under the new judges and laws. In many counties the people assembled in large bodies, and took possession of the court houses, and would suffer neither judges, sheriffs, nor clerks, to enter. All persons accepting offices under the new acts were declared enemies to their country. The mandamus counsellors, the commissioners of the customs, and all who had made themselves particularly obnoxious by their activity in seconding the measures of government, were compelled to take refuge in Boston. The seat of government at Salem was entirely



abandoned, and government itself seemed no longer to exist.

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At length the General Congress, on which all America had their eyes now fixed, met at Philadelphia for the first time, September 4, 1774. This assembly consisted of fifty-one members, delegated in such proportions from the different colonies as corresponded with their varied extent and population, though each colony had a distinct and separate vote. Amongst their first resolves they passed an unanimous vote, that this assembly deeply feels the sufferings of their countrymen in the Massachusetts, under the operation of the late unjust, cruel, and oppressive acts of the British parliament; that they most thoroughly approve the wisdom and fortitude with which their opposition to those measures has been conducted; and they trust that the united efforts of America in their behalf will carry conviction to the British nation of the unwise, unjust, and ruinous policy of the present administration. But if the late acts of parliament shall be attempted to be carried into execution by force, in such case all America ought to support the inhabitants of the Massachusetts Bay in their opposition. The congress also publish a declaration of rights, to which they conceived themselves entitled by the immutable laws of nature, the principles of the English constitution, and their several charters or com-



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pacts. After a specification of these rights, and an enumeration of the recent violations of them, they mention, that, in hopes of being restored to that state in which both countries formerly found happiness and prosperity, they have for the present only resolved to pursue the following peaceable measures, viz. to enter into a non-importation, non-consumption, and non-exportation agreement; and to prepare an address to the people of Great Britain, a memorial to the inhabitants of British America, and a loyal and humble petition to his majesty. All these different addresses and declarations were drawn up with great ability, prudence, and moderation. They call upon the people of Great Britain to witness their loyalty and attachment to the common interests of the empire; they appeal to their own acknowledgment of this truth, manifested by the reimbursement of large sums of money which they had advanced during the late war, with zeal far beyond their proportional ability. They then proceed to state and examine the measures of government, and the acts of the British parliament, which they consider as hostile to America. They adduce strong arguments to show that the final success of the ministerial plans would in the end be as fatal to the liberties of Britain as to those of America. "Place us," say they, "in the same situation that we were in at



the close of the last war, and our former harmony will be restored." In the memorial to the inhabitants of British America, they deeply deplore the necessity which pressed them to an immediate interruption of commerce, and apologize by saying, "We are driven by the hands of violence into unexperienced and unexpected public convulsions, and are contending for freedom so often contended for by our ancestors." Towards the close they have these words: "We think ourselves bound in duty to observe to you, that the schemes agitated against these colonies have been so conducted as to render it prudent that you should extend your views to the most unhappy events, and be in all respects prepared for every contingency."

But the congress seemed to reserve their chief strength for the address to the king, which is penned with extraordinary force and animation, in many parts rising to a very high strain of eloquence. They express their "confidence, that, as his majesty enjoys the signal distinction of reigning over freemen, the language of freemen cannot be displeasing:" adding, "Your royal indignation, we hope, will rather fall on those designing and dangerous men who, daringly interposing themselves between your royal person and your faithful subjects, have at length compelled us by the force of accumulated injuries to disturb your



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majesty's repose by our complaints." They assure his majesty, that for the support of civil government, and the administration of justice, such provision has been and will be made by the colonial legislatures as may be judged suitable to their respective circumstances. They affirm, that for their defence, protection, and security in time of peace, their militias, if properly regulated, would be fully sufficient; and in case of war, his faithful colonists will be ready and willing, as they have ever been when constitutionally required, to demonstrate their loyalty, by exerting their most strenuous efforts in granting supplies and raising forces. They say, "We ask but for peace, liberty, and safety. We wish not a diminution of the prerogative, nor do we solicit the grant of any new right in our favor. In the magnanimity and justice of your majesty and parliament we confide for a redress of our grievances, trusting that when the causes of our apprehensions are removed, our future conduct will prove us not unworthy of the regard we have been accustomed in our happier days to enjoy. And appealing to that Being who searches thoroughly the hearts of his creatures, we solemnly profess that our councils have been influenced by no other motive than a dread of impending destruction. We implore therefore your majesty, as the loving father of all your people, connected by



the same bands of loyalty, faith and blood, not to suffer the transcendent relation formed by these ties to be further violated in uncertain expectation of effects which, if attained, never can compensate for the calamities through which they must be gained. So may your majesty enjoy every temporal felicity throughout a long and glorious reign, and your descendants inherit your prosperity and dominions till time shall be no more."—It is difficult to conceive how this address could be read without exciting, in the breast even of the most obdurate, strong emotions of compunction and remorse; but there are those who have hearts and understandings upon which no impression can be made by any effort of human reason, and who can resolutely "turn a deaf ear to the voice of the charmer, charm he ever so wisely."

In a subsequent address to the Roman-catholic inhabitants of Canada, the congress with perspicuity and energy state to the Canadians the rights enjoyed under that constitution from which by the late act they are debarred. "These rights," say they, "defend the poor from the rich, the weak from the powerful, the industrious from the rapacious, the peaceable from the violent, the tenants from the lords, and all from their superiors. They invite and solicit them to consult their own glory and welfare, and to unite with



BOOK them in one social compact. Your province,"  
XVI. say they, "is the only link wanting to complete  
1774. the bright and strong chain of union. Nature  
has joined your country to ours,—join also your  
political interests by an accession to the general  
confederation." But the spirit of liberty was too  
faint and feeble in Canada, and the aristocracy  
and priesthood too powerful to admit of any con-  
siderable effect from this address. The congress,  
having finished their deliberations, dissolved them-  
selves after an uninterrupted session of fifty-two  
days. Such was the noble and enthusiastic de-  
testation of this assembly to tyranny and slavery,  
that in one of their debates respecting the proba-  
bility and danger of a rupture with Great Britain,  
a leading member rose up and said, "I should  
advise persisting in our struggle, though it were  
revealed from heaven that nine hundred and  
ninety-nine were to perish in the contest, and  
one only of a thousand to survive, and retain his  
liberty." The last resolution of this assembly im-  
ported that another congress shall be held the  
10th day of May 1775, unless redress of griev-  
ances be obtained before that time.

General Gage had issued writs for convoking  
the general court of Massachusetts at Salem on  
the 5th of October, which subsequent events  
induced him to recall; but the court neverthe-  
less met, and, voting themselves into a provin-



cial congress, appointed a committee to present a remonstrance to the governor, complaining in strong terms of the late arbitrary laws, and the hostile preparations making to enforce them. The governor refused to recognize them as a lawful assembly, and warned them at their peril to desist from their illegal and unconstitutional proceedings. To this requisition or menace little regard was paid, and at a subsequent meeting a plan was drawn up for the immediate defence of the province; magazines of ammunition and stores were provided for twelve thousand militia, and an enrolment made of a number of *minute men*, so called from their engaging to turn out with their arms at a minute's warning. Winter approaching, the governor was desirous of providing barracks and clothing for the soldiers: but no workmen could be procured; and the merchants returned for answer, that they never would supply any article for the benefit of men who were sent as enemies to their country. Every thing now served to increase the mutual apprehension and animosity. A magazine of powder at Charlestown, near Boston, had been seized by general Gage's order, and a battery of cannon spiked by a detachment from the shipping. On the other hand, the fort at Portsmouth, in New Hampshire, was assaulted by an armed body of provincials, and after a slight resistance carried by storm, and the



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powder it contained was sent off in boats to a place of safety. A similar spirit of retaliation and resistance almost every where discovered itself. The resolutions of the continental congress were universally confirmed by the provincial assemblies or conventions, and committees of inspection and observation were appointed in order to enforce due obedience to the public decisions.

It is now necessary to revert to the state of affairs in England, where passion had during this interval sufficient leisure to cool, and the greatest anxiety began to prevail as to the result of the late measures of administration. Lord Chatham, whose sentiments and feelings on all subjects of public concern must be regarded as peculiarly interesting, in a confidential letter to a friend, dated August 1774, writes, "Every step on the side of government, in America, seems calculated to drive the Americans into open resistance, vainly hoping to crush the spirit of liberty in that vast continent at one successful blow; but millions must perish there before the seeds of freedom will cease to grow and spread in so favourable a soil: and in the mean time devoted England must sink herself under the ruins of her own foolish and inhuman system of destruction." In a subsequent letter he says, "It is plain that America cannot wear chains. Would to Heaven it were equally plain that the oppressor England



is not doomed one day to bind them round her own hands, and wear them patiently !

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—————Sævier armis

*Luxuria incubuit, victumque ulciscitur orbem.*

Happily beyond the Atlantic this poison has not reached the heart. When then will infatuated administration begin to fear that freedom they cannot destroy, and which they do not know how to love ?” And in a third letter he says, “I have not words to express my satisfaction that the congress had conducted this most arduous and delicate business with such manly wisdom and calm resolution as does the highest honor to their deliberations. Very few are the things contained in their resolves that I could wish had been otherwise. Upon the whole, I think it must be evident to every unprejudiced man in England, who feels for the rights of mankind, that America, under all her oppressions and provocations, holds forth to us the most fair and just opening for restoring harmony and affectionate intercourse as heretofore. I trust that the minds of men are more than beginning to change on this great subject ; and that it will be found impossible for freemen in England to wish to see three millions of Englishmen slaves in America \*.”

\* In Smith’s “Wealth of Nations,” a work upon the whole deservedly celebrated, but which nevertheless contains many



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The PARLIAMENT, which had sat six years only, was suddenly and unexpectedly dissolved in the month of September, and a new parlia-

positions absolutely inadmissible, and many others extremely problematic, are enumerated in striking detail (vol. ii. book iv.) the restraints to which the trade and commerce of America were, previous to the origin of the fatal quarrel now subsisting, subjected by the jealous policy of Great Britain. Yet in courtly strains adapted to the times he elsewhere laments (vol. iii. book v.), “that the Empire of Britain over America has existed in imagination only.” It has hitherto been, as he asserts, “not an empire, but the project of an empire;” and he pretends “that the effects of the monopoly of the colony trade have been loss instead of profit.” In the stead of this monopoly, therefore, he wildly and romantically proposes an enormous and direct taxation of America by the British parliament, accompanied indeed and gilded over by an impracticable and chimerical scheme of American representation in what he styles “the States General of the British Empire.” The facts stated by this writer, the conclusion suggested by his own good sense, and the occasional observations too evidently calculated to conciliate the favor of the ruling powers, form altogether a singular and heterogeneous medley. “Great Britain,” says he, “chooses to reserve to herself the more advanced or more refined manufactures even of the colony produce, and has prevented their establishment in the colonies, sometimes by high duties, sometimes by absolute prohibitions—She will not suffer the erection of steel furnaces or slitting-mills in any of the American plantations, even for their own consumption; but insists upon their purchasing of her merchants and manufacturers all goods of this kind which they have occasion for. She prohibits the exportation from one province to another, by land or water, of



ment immediately convened, which met on the  
 ensuing 29th November 1774, and of which  
 sir Fletcher Norton was unanimously re-chosen

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hats, of wool, or woollen goods of the produce of America—  
 a regulation which confines the industry of the colonists to  
 such coarse and household manufactures as a private family  
 commonly makes for its own use, or that of some of its  
 neighbours in the same province. To prohibit a great peo-  
 ple, however, from making all that they can of every part of  
 their own produce, or from employing their stock and in-  
 dustry in the way that they judge most advantageous to  
 themselves, is a manifest violation of the most sacred rights  
 of mankind.—It was not the wisdom and policy, but the dis-  
 order and injustice of the European governments which peo-  
 pled and cultivated America.—The government of England,  
 in particular, contributed scarcely any thing towards effectu-  
 ating the establishment of some of its most important colonies  
 in North America. When those establishments had become so  
 considerable as to attract the attention of the mother coun-  
 try, the regulations she made with regard to them had al-  
 ways in view to secure to herself the monopoly of their com-  
 merce, to confine their market, and to enlarge her own at  
 their expense, and consequently rather to damp and discourage  
 than to quicken and forward the course of their prosperity.—  
 In what way therefore has the policy of Europe contributed to  
 the first establishment or to the present grandeur of the colo-  
 nies of America?—*Magna virum mater!* It bred and formed  
 the men who were capable of achieving such great actions,  
 and of laying the foundation of so great an empire.” All this  
 is very fair and specious in theory—but what is theory opposed  
 to experience? Under this “system of absurdity and oppres-  
 sion,” it is a fact incontrovertible, that the colonies of Britain  
 grew and flourished with a rapidity and acceleration of pro-



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speaker. The king, in his opening speech, acquainted the two houses "that a most daring spirit of resistance and disobedience still pre-

sperity unparalleled in history ; and any attempt to exchange the original and established system of commercial restraint for the novel and odious plan of internal and external taxation, in the mode recommended by this rash and confident writer, would have been the height of political Quixotism and extravagance. Nevertheless, in remarking upon the eventual probability of success in the contest now commenced, his humanity and sagacity recover their natural ascendent. "It is not," says he, "very probable that the Americans will ever voluntarily submit to us ; and we ought to consider, that the blood which must be shed in forcing them to do so, is every drop of it the blood either of those who are, or of those whom we wish to have for, our fellow-citizens. They are very weak who flatter themselves, that, in the state to which things have come, our colonies will be easily conquered by force alone. The persons who now govern the resolutions of what *they call their Continental Congress* feel in themselves at this moment a degree of importance which perhaps the greatest subjects in Europe scarce feel. They are become statesmen and legislators, and are employed in contriving a new form of government for an extensive empire, which they flatter themselves will become, and which indeed seems very likely to become, one of the greatest and most formidable that ever was in the world. Almost every individual of the governing party in America fills at present a station superior not only to what he had ever filled before, but to what he had ever expected to fill. And unless some new object of ambition is presented either to him or to his leaders, if he has the ordinary spirit of a man, he will die in defence of that station."



vailed in the province of Massachusetts Bay, and had broke forth in fresh violences of a very criminal nature; that the most proper and effectual measures had been taken to prevent these mischiefs; and that they might depend upon a firm resolution to withstand every attempt to weaken or impair the supreme authority of this legislature over all the dominions of the crown." The address proposed in the house of commons produced a warm and animated debate. The minister was reminded of the mighty effects he had predicted from the late acts against America—They were to humble the whole continent in the dust, and the punishment of Boston was to strike an universal terror into all the colonies; that refractory town would be totally abandoned; and instead of obtaining relief, a dread of the same fate would even prevent the appearances of pity. An amendment being at length offered, that his majesty would be graciously pleased to communicate the letters, orders, and instructions, relative to the execution of the late acts, it was negatived by a majority of 264 to 73. In the house of lords the numbers on the division were 63 to 13; but a *protest against the address*, the first which had ever appeared on the journals of the house, was signed by the lords in the minority; who, at the conclusion of it, thus express themselves: "It

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BOOK affords us a melancholy prospect of the disposition of lords in the present parliament, when  
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1774. we see the house, under the pressure of so severe and uniform an experience, again ready, without inquiry, to countenance, if not to adopt, the spirit of former fatal proceedings. But whatever may be the mischievous designs, or the inconsiderate temerity which leads others to this desperate course, we wish to be known as persons who have disapproved of measures so injurious in their past effects and future tendency, and who are not in haste, without inquiry or information, to commit ourselves in declarations which may precipitate our country into all the calamities of a civil war." Notwithstanding the high language of the court on the first day of the session, evident symptoms of irresolution in the cabinet councils were at this period discernible, and all discussion of the affairs of America was studiously avowed by the minister, in parliament, previous to the recess. It was intimated only, that the apprehension of a war was wholly chimerical. The estimates were formed entirely upon a peace establishment; the land-tax was continued at three shillings; no vote of credit was required; the army remained on its former footing; and, what was most of all surprising, a reduction of four thousand seamen took place from the twenty thousand voted last year—a



circumstance which shows in the strongest light how astonished was the delusion of the ministry, or how eager their solicitude to delude the public. Lord Sandwich, first lord of the admiralty, publicly declared in the house of peers, that he *knew* the low establishment proposed would be fully sufficient for reducing the colonies to obedience. With unpardonable indiscretion he spoke in terms the most contemptuous both of the power and the courage of the Americans. He asserted, that they were neither disciplined nor capable of discipline; and that, formed of such materials, and so indisposed to encounter danger, their numbers would only add to the facility of the defeat\*.”

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\* To the insolence and adulation of lord SANDWICH's rhetoric on this occasion, history affords perhaps no juster parallel than the speech of MARDONIUS to XERXES on his projected invasion of Greece, as recorded by the pen of Herodotus. “Sir,” said the slave to the despot, “you are not only the most illustrious of all the Persians who have hitherto appeared, but you may securely defy the competition of posterity. You are entitled to our particular admiration for not suffering the people of IONIA, *contemptible as they are*, to INSULT US with impunity. It would indeed be preposterous, if, after reducing to our power the Sacæ, the Indians, the Ethiopians, and the Assyrians, with many other great and illustrious nations, we should not inflict vengeance on those GREEKS, who *without provocation* have molested us. There can be nothing to excite our alarm—no multitude of troops—



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On the first day of the meeting after the recess, January 20th, 1775, lord Dartmouth laid before the peers the official papers belonging to his department. The plan of ministerial coercion was now finally settled—not however, according to general report, without considerable opposition in the cabinet from certain members of the administration, in the number of whom

no extraordinary wealth—their powers *I myself have known*— Besides this, I am informed that in all their military undertakings the Greeks betray the extremest ignorance and folly. Who, sir, shall oppose you at the head of the forces and fleets of Asia? The Greeks I think never can be so audacious. If, however, I should be deceived, and they shall be so MAD as to engage us, they will soon find to their cost, that in the art of war we are the first of mankind.” How well the predictions of these vain boasters were verified, let SALAMIS and SARATOGA tell! The abject manner in which the GREAT KING subsequently sued by his ambassadors for peace, courting with fawning flattery the friendship and alliance of the very people he had thus injuriously treated, and the disdainful refusal of the Athenians to enter into any negotiation so long as the Persian army remained within the limits of the Grecian territory, are particularly related by the same historian. “You may be assured,” say these sons of freedom, “that your endeavours to persuade us into an alliance with the BARBARIANS never will succeed. On the part of the Athenians we declare, that as long as the sun shall continue his ordinary course, so long will we avoid any friendship with Xerxes—so long will we continue to resist him. Hereafter do not presume to enter an Athenian assembly with overtures of this kind.” Herodot. book viii. sect. 9.



there was reason to believe that the first lord of the treasury himself, the lord privy-seal, and the secretary of state for America, were to be accounted. Notwithstanding the continued infirmities of the earl of Chatham, he had formed a resolution to attend the house, if possible, on this memorable day, in order, before the die was finally cast, to make one powerful effort to avert the calamity, the danger, and the ruin which he saw impending over that great empire, which under his administration had attained the summit of human prosperity and glory. The house was unusually full, and a most respectable and crowded audience also filled the space below the bar. When he rose to speak, all was silence and profound attention. Animated and almost inspired by his subject, he seemed to feel his own unrivalled superiority. His venerable figure, dignified and graceful in decay, his language, his voice, his gesture, were such as might at this important crisis, big with the fate of Britain, seem to characterize him as the guardian genius of his country \*. “Too well apprised,” he said, “of the contents of the

\* Such extraordinary powers of mind as were in this nobleman, combined with so much corporeal infirmity, recall to recollection the anecdote of M. Voltaire, who, on a visit to the famous M. Turgot, when last at Paris, found the minister wrapt up in gouty flannels and unable to move: “You



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1775. papers now at last laid before the house, he would not take up their lordships' time in tedious and fruitless investigations, but would seize the first moment to open the door of reconciliation;—for, said he, every moment of delay is a moment of danger. As I have not, said his lordship, the honor of access to his majesty, I will endeavour to transmit to him, through the constitutional channel of this house, my ideas of America, to RESCUE him from the mis-advice of his present ministers. America, my lords, cannot be reconciled, she ought not to be reconciled to this country till the troops of Britain are withdrawn from the continent; they are a bar to all confidence, they are a source of perpetual irritation, they threaten a fatal catastrophe. How can America trust you, with the bayonet at her breast? How can she suppose that you mean less than bondage or death? I therefore, my lords, move, that an humble address be presented to his majesty, most humbly to advise and beseech his majesty, ‘that, in order to open the way towards a happy settlement of the dangerous troubles in America, it may graciously please his majesty to transmit orders to remind me,” said the philosopher to the statesman, “of the image seen in Nebuchadnezzar’s dream.” “Ah!” said M. Turgot, “the feet of clay!” “Yes, and the head of GOLD! the head of GOLD!” said M. Voltaire.



general Gage for removing his majesty's forces from the town of Boston.' I know not, my lords, who advised the present measures ; I know not who advises to a perseverance and enforcement of them ; but this I will say, that the authors of such advice ought to answer it at their utmost peril. I wish, my lords, not to lose a day in this urgent pressing crisis ;—an hour now lost in allaying ferments in America may produce years of calamity. Never will I desert, in any stage of its progress, the conduct of this momentous business. Unless fettered to my bed by the extremity of sickness, I will give it unremitting attention. I will knock at the gates of this sleeping and confounded ministry, and will, if it be possible, rouse them to a sense of their danger. The recall of your army I urge as necessarily preparatory to the restoration of your peace. By this it will appear that you are disposed to treat amicably and equitably, and to consider, revise, and repeal, if it should be found necessary, as I affirm it will, those violent acts and declarations which have disseminated confusion throughout the empire. Resistance to these acts was necessary, and therefore just ; and your vain declarations of the omnipotence of parliament, and your imperious doctrines of the necessity of submission, will be found equally impotent to convince or enslave America, who feels that tyranny is



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equally intolerable, whether it be exercised by an individual part of the legislature, or by the collective bodies which compose it. The means of enforcing this thralldom are found to be as ridiculous and weak in practice as they are unjust in principle. Conceiving of general Gage as a man of humanity and understanding; entertaining, as I ever must, the highest respect and affection for the British troops; I feel the most anxious sensibility for their situation, pining in inglorious inactivity. You may call them an army of safety and of defence, but they are in truth an army of impotence and contempt; and to make the folly equal to the disgrace, they are an army of irritation and vexation. Allay then the ferment prevailing in America, by removing the obnoxious hostile cause. If you delay concession till your vain hope shall be accomplished of triumphantly dictating reconciliation, you delay for ever: the force of this country would be disproportionately exerted against a brave, generous, and united people, with arms in their hands and courage in their hearts—three millions of people, the genuine descendants of a valiant and pious ancestry, driven to those deserts by the narrow maxims of a superstitious tyranny. But is the spirit of persecution never to be appeased? Are the brave sons of those brave forefathers to inherit their sufferings as they have in-



herited their virtues? Are they to sustain the in-  
fiction of the most oppressive and unexampled  
severity, beyond what history has related, or  
poetry has feigned?

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—— Rhadamanthus habet durissima regna,  
Castigatque, *auditque*, dolos.

But the Americans must not be heard; they have been condemned unheard. The indiscriminate hand of vengeance has devoted thirty thousand British subjects of all ranks, ages, and descriptions, to one common ruin. You may no doubt destroy their cities; you may cut them off from the superfluities, perhaps the conveniences of life; but, my lords, they will still despise your power, for they have yet remaining their woods and their liberty. What though you march from town to town, from province to province, though you should be able to enforce a temporary and local submission, how shall you be able to secure the obedience of the country you leave behind you, in your progress of eighteen hundred miles of continent animated with the same spirit of liberty and of resistance! This universal opposition to your arbitrary system of taxation might have been foreseen: it was obvious from the nature of things and from the nature of man, and, above all, from the confirmed habits of thinking, from the spirit of Whiggism flourishing in America. The spirit



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which now pervades America is the same which formerly opposed loans, benevolences, and ship-money in this country; the same spirit which roused all England to action at the Revolution; and which established at a remote æra your liberties on the basis of that great fundamental maxim of the constitution, that no subject of England shall be taxed but by his own consent. What shall oppose this spirit, aided by the congenial flame glowing in the breast of every generous Briton? to maintain this principle is the common cause of the Whigs on the other side of the Atlantic and on this; it is liberty to liberty engaged. In this great cause they are immoveably allied; it is the alliance of God and nature, immutable, eternal, fixed as the firmament of heaven. As an Englishman, I recognize to the Americans their supreme unalterable right of property. As an American, I would equally recognize to England her supreme right of regulating commerce and navigation. This distinction is involved in the abstract nature of things; property is private, individual, absolute; the touch of another annihilates it. Trade is an extended and complicated consideration; it reaches as far as ships can sail or winds can blow; it is a vast and various machine. To regulate the numberless movements of its several parts, and combine



them into one harmonious effect, for the good of the whole, requires the superintending wisdom and energy of the supreme power of the empire. On this grand practical distinction then let us rest;—taxation is theirs, commercial regulation is ours. As to the metaphysical refinements, attempting to show that the Americans are equally free from legislative control and commercial restraint, as from taxation for the purpose of revenue, I pronounce them futile, frivolous, and groundless. When your lordships have perused the papers transmitted us from America, when you consider the dignity, the firmness, and the wisdom with which the Americans have acted, you cannot but respect their cause. History, my lords, has been my favorite study, and in the celebrated writings of antiquity have I often admired the patriotism of Greece and Rome; but, my lords, I must declare and avow, that, in the master-states of the world, I know not the people, or the senate, who, in such a complication of difficult circumstances, can stand in preference to the delegates of America assembled in general congress at Philadelphia. I trust it is obvious to your lordships, that all attempts to impose servitude upon such men, to establish despotism over such a mighty continental nation, must be vain, must be futile. Can such a national principled union be resisted



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by the tricks of office or ministerial manœuvres? Heaping papers on the table, or counting your majorities on a division, will not avert or postpone the hour of danger. It must arrive, my lords, unless these fatal acts are done away; it must arrive in all its horrors; and then these boastful ministers, in spite of all their confidence and all their manœuvres, shall be compelled to hide their heads. But it is not repealing this or that act of parliament, it is not repealing a piece of parchment, that can restore America to your bosom; you must repeal her fears and resentments, and then you may hope for her love and gratitude. But now, insulted with an armed force, irritated with an hostile array before her eyes, her concessions, if you *could* force them, would be suspicious and insecure. But it is more than evident that you *cannot* force them to your unworthy terms of submission; it is impossible; we ourselves shall be forced ultimately to retract; let us retract while we can, not when we must. I repeat it, my lords, we shall one day be forced to undo these violent oppressive acts; they must be repealed, you will repeal them; I pledge myself for it, that you will in the end repeal them; I stake my reputation on it; I will consent to be taken for an IDIOT if they are not repealed. Avoid then this humiliating disgraceful necessity. With a dignity



becoming your exalted situation, make the first advances to concord, to peace, and to happiness. Concession comes with better grace and more salutary effect from superior power; it reconciles superiority of power with the feelings of man, and establishes solid confidence on the foundations of affection and gratitude. On the other hand, every danger and every hazard impend to deter you from perseverance in the present ruinous measures; foreign war hanging over your heads by a slight and brittle thread; France and Spain watching your conduct, and waiting for the maturity of your errors, with a vigilant eye to America and the temper of your colonies, MORE THAN TO THEIR OWN CONCERNS, BE THEY WHAT THEY MAY. To conclude, my lords, if the ministers thus persevere in misadvising and misleading the KING, I will not say that they can alienate the affections of his subjects from the crown; but I affirm, they will make the crown not worth his wearing. I will not say that the KING IS BETRAYED, but I will pronounce that the KINGDOM IS UNDONE."

The motion of lord Chatham was most ably seconded and supported by lord Camden: "King, lords, and commons," said this great constitutional lawyer, "are grand and sounding names: but king, lords, and commons, may become tyrants as well as others. Tyranny in one or

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more is the same: it is as lawful to resist the tyranny of many as of one; this has been a doctrine known and acted upon in this country for ages. When the famous Selden was asked, by what statute resistance to tyranny could be justified? his reply was, "It is to be justified by the custom of England, which is a part of the law of the land." I will affirm, my lords, not only as a statesman, politician, and philosopher, but as a common lawyer, that you have no right to tax America. No man, agreeably to the principles of natural or civil liberty, can be divested of any part of his property without his consent; and whenever oppression begins, resistance becomes lawful and right."

The language of the lords in administration was high and decisive; it was declared, that the mother country should never relax till America confessed her supremacy, and obedience must be enforced by arms. Lord Gower, president of the council, is reported, in addition to his menaces, to have said with an air of contempt and disdain: "Let the Americans, so long as these measures are enforced, sit talking about their natural and divine rights, their rights as men and citizens, their rights from God and nature!" In the result the motion was rejected by 68 voices against 18.

In the house of commons the American papers



were, by motion of lord North, referred to a <sup>BOOK</sup> committee of the whole house, on the 26th of <sup>XVI.</sup> January 1775; previous to which petitions were <sup>1775.</sup> presented to the house from the merchants of London, Bristol, Glasgow, &c. which, by an artifice characteristic of the present ministry, were, on a division of 197 to 81 members, consigned to a separate committee, to meet on the 27th of January—so that the house must necessarily come to a final decision on the grand question before the petitions were admitted to a hearing. This committee was denominated therefore, by the opposition, the Committee of Oblivion. The ground on which the ministry justified this procedure was, that commerce and politics were matters totally distinct, and that the house must decide on the question of peace and war solely upon political considerations; but that due care would be taken to secure the commercial interests and property of the merchants whose petitions were before the house. To which the petitioners replied, “that they were under no apprehensions for their property, but from the measures which might be adopted by that honorable house in order to secure it.” The petition from the congress to the king having been referred by his majesty, amidst the common mass of American papers, to the house, the American agents, Mr. Bollan, Dr. Franklin, and



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Mr. Lee, petitioned the house to be heard at the bar in its support. But the ministers alleged, “that the congress was no legal body; and to hear evidence on the subject of their petition would be giving that illegal body some degree of countenance:—that with respect to the pretended grievances alleged in the petition, the house could hear the colonies only through their legal assemblies, and their agents properly authorized; and that any deviations from this rule would destroy the whole order of colony government.” To this the opposition replied, “that the order of colony government was destroyed already in some places by act of parliament; in others by dissolution of assemblies by governors; and in others by popular violence—that the question was now, how to restore it. That the congress was surely an assembly sufficiently legal for the purpose of presenting a petition, which, as it was signed by all their names, might be received as the petition of individuals, and the equity of the house should rather lead to the adoption of plausible reasons for receiving, than the invention of pretences for rejecting, such papers. That this mode of constantly rejecting petitions would infallibly end in universal revolt; and indeed a refusal to hear complaints seemed plainly to amount to an abdication of government.”—These reasonings



made no impression, and the petition was in fine rejected by 218 voices to 68.

Thus did the British parliament virtually resolve to devote three millions of British subjects to destruction unheard, and to carry fire and sword into the most flourishing provinces of the empire, rather than deviate an *iota* from the established *etiquette* of precedent and punctilio. The great majority by which lord Chatham's motion for the recall of the troops from Boston was negatived, did not discourage that nobleman from persisting in his exertions for restoring peace to the empire: and in the beginning of February he offered to the house of peers a bill for that purpose, under the title of "A Provisional Act for settling the troubles in America, and for asserting the supreme Authority and superintending Power of Great Britain over the colonies." This bill comprehended a vast extent of matter, and, as the noble lord who presided over the American department justly observed, "many of its parts seemed to require much separate discussion; that it was impossible therefore to pronounce any immediate opinion concerning its propriety; that as the noble mover did not seem to press the house to any immediate decision, but rather appeared desirous that it should be fully and maturely weighed, he presumed it would be agreeable to him, and he objected not to receive



BOOK it on condition that it should lie on the table till  
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1775. the American papers were first taken into consideration." This appearance of respect and moderation seemed to move the indignation of the other lords in administration; and lord Gower in particular reprobated it in the aggregate, and all its parts, with extraordinary asperity. It was affirmed by his lordship "that the bill was irregular, unparliamentary, and unprecedented that the matter should have been laid before the house in separate propositions; that it was objection sufficient to the bill, that it sought reconciliation by concession; that it not only gave a sanction to the traitorous proceedings of the congress already held, but by the appointment of another legalized their proceedings by act of parliament; that should their lordships be base enough to betray the rights of parliament, by adopting the provisions of this bill, the Americans would only accept such parts of it as suited their own views, and would no doubt disclaim those that wore any appearance of submission. The duty on tea was affirmed to be only the pretext for the hostile conduct of the Americans, and that their real aim was to throw off all restrictions upon their commerce; that if the jurisdiction of the Admiralty courts were circumscribed in the manner proposed by this bill, the Navigation Act would become a mere dead



letter; in fine, that this was no time for concession, and that to concede now would be to give up the point for ever. His lordship, therefore, gave it as his opinion, that the bill should not be suffered to lie on the table."

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Lord Chatham, feeling and highly resenting the indignity now offered, entered into his own vindication, and that of the measure proposed by him, with all the fire and ardour of youth. "He was sensible," he said, "that this bill contained only the rude outline of a plan of accommodation; that he had offered it to the house with a view of obtaining the assistance of their lordships, to render it effectual to the great ends to which it was ultimately directed. His bill was framed on no narrow principle. He appealed to the candour of their lordships, and deprecated the effects of factious spleen or blind predilection. He had been charged with precipitation in this business; but under such circumstances of emergency, when a single day might decide the fate of the empire, what was to be done? More than two months had elapsed since the meeting of parliament, and no plan of reconciliation had been offered by the ministers; who, by their silence and inaction, seemed to acknowledge themselves incapable of devising any. No alternative then remained for him, but to submit to their lordships his ideas on the



BOOK subject, or to abandon the interests of his coun-  
XVI. try. But let ministers avow that they have a  
1775. plan, and he would instantly withdraw his bill. By the indecent attempt now made to stifle this bill *in embryo*, ministers might hope that the contents of it would sink into silence and oblivion. But, though rejected here, it would, he trusted, ever remain a monument of his earnest however ineffectual endeavours to serve his country. It would at least manifest how zealous he had been to avert the impending storms, which seemed ready to burst over us and overwhelm the empire in ruin. He acknowledged himself, on cool reflection, not indeed much surprised that men who hate liberty should also hate those that prize it; that those who want virtue themselves, should prosecute them who possess it. Since the first entrance of the present ministers into office, he affirmed that the whole of their political conduct had been one continued series of weakness, temerity, ignorance, despotism, and corruption. In one view only did they appear sound statesmen and able politicians—in a strict and unwearied attention to their own interest: such were their characters, and such their abilities, that no plan of government could be expected to succeed in their hands; and they themselves, he doubted not, were fully conscious that the adoption of any system of conciliation,



founded on a wise and rational policy, would annihilate their power, and reduce them to that state of insignificance for which God and Nature had designed them." The motion being put, the bill was rejected by a majority of 61 to 32 voices.

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The very day succeeding this rejection, lord North moved in the house of commons an address to his majesty, "to return thanks for the communication of the American papers, and to declare, that having taken them into their most serious consideration, they find that a REBELLION at this time actually exists in the province of Massachusetts Bay; which was affirmed to be the more inexcusable, from reflecting with how much TEMPER his majesty and the parliament had acted in support of the laws and constitution of Great Britain; and solemnly assuring his majesty, that it is their fixed resolution, at the hazard of their lives and fortunes, to support his majesty, against all REBELLIOUS ATTEMPTS, in the maintenance of his just rights and those of the two houses of parliament." A vehement debate ensued, and some of the more moderate of those who had hitherto voted with administration seemed to feel a kind of horror at a proposition big with the most dangerous and direful consequences. It was affirmed on the part of the opposition, "that resistance to arbi-



BOOK XVI.  
1775. trary measures was warranted by the constitution; that no act of violence had been committed in Massachusetts Bay which was not equalled by similar acts in other provinces; that this partial declaration of rebellion was only a branch of the general system of delusion—that there was no medium between a general war and a general reconciliation.” On the other hand, the courtiers insisted, “that the boasted union of the colonies would dissolve, the moment parliament shewed itself resolved on measures of vigor and severity. That it would not, however, they hoped, be necessary to punish universally, or to make examples of more than a *few ringleaders* of this revolt; and that when the colonies should be reduced to due and entire submission to the laws and authority of Great Britain, their real grievances, upon their making proper application, should be redressed.” Lord North in particular said, he would venture to affirm, “that the *dispute* with America was not so alarming as some people apprehended: he had not the least doubt but this *dispute* would end speedily, happily, and without bloodshed.”

Several of the professional members of the house affected to speak with the utmost contempt of the military prowess of the Americans; and one modern Alexander declared \*, “that at the

\* General Grant.



head of five regiments of infantry he would undertake to traverse the whole country, and drive the inhabitants from one end of the continent to the other.

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An amendment to the address was at length proposed by Mr. Fox. Leaving out all but the preliminary words of the address, he moved to substitute after them the following: "But deploring that the information which the papers laid before them had afforded, served only to convince the house that the measures taken by his majesty's servants tended rather to widen than to heal the unhappy differences between Great Britain and America, and praying an alteration in the same." Upon a division, the amendment was rejected by 304 voices against 105, which was, however, a larger minority than had hitherto appeared on any question. Nor was it yet suffered to pass quietly—for, on receiving the report, lord John Cavendish, a nobleman whose principles were such as might be supposed associated with, and were calculated to sustain, the high honors of his name, moved for its recommitment; on which a second debate, not less vehement than the former, took place. Ministers were warned, that a future and bitter day of retribution would inevitably come, when they must answer to the JUSTICE of their country for the mischiefs they had already done, and for the



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irretrievable ruin into which they were plunging the nation. “My head and my heart,” said the noble mover, “join in deprecating the horrors of a civil war, which will be rendered still more dreadful by its involving in its certain consequences a foreign one with the combined forces of great and powerful nations.” On the division, the minority appeared to have gained some little ground, the numbers being 288 to 106.

The next day a conference was, at the request of the commons, held with the lords, to propose their lordships’ joining in this address; and the president, lord Gower, having made the report, the earl of Dartmouth moved, that the blank which was left open in the address should be filled up by the insertion of the words—“the lords spiritual and temporal.” A debate equally violent with that in the house of commons now ensued; a very wide scope of invective, no less than of argument, was taken by the speakers on both sides; and in the heat of controversial re- crimination, assertion, denial, arraignment, and defiance, were, in a mode very unusual in that house, dealt in unsparing and passionate terms. To the astonishment of the house, lord Mansfield, who had ever appeared to harbour an inveterate enmity to America, declared, “that the imposition of the port-duties of 1767 was a measure the most absurd and pernicious that could be



devised, and the cause of all our present and impending evils." On which lord Shelburne, at that time secretary of state, lord Camden, then lord chancellor, and the duke of Grafton, then at the head of the Treasury, and now lord privy-seal, severally declared, that they had no share in that measure, and had never given it their approbation. A general sentiment of amazement and indignation seemed for a moment to pervade the minds of the house, that a measure of such unparalleled importance should be carried into effect by the force of a secret and overruling influence, contrary to the advice and judgment of the principal ministers of the crown, who were alone responsible for the measures of government. The marquis of Rockingham, who had petitions from the American and West-India merchants to present to the house, at length moved the previous question, in order that the allegations of the merchants might be heard before any decisive step was taken: but on the division it was negatived by 104 voices to 29; after which the original motion of lord Dartmouth was put, and agreed to by the house: but on both questions strong protests were entered on the journals of the house.

On the 10th of February, lord North moved for a bill to restrain the trade and commerce of the New-England provinces, and to prohibit



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them from carrying on the fisheries on the banks of Newfoundland. This bill excited fresh debates. It was said, "that though a rebellion was declared only in one province, three more were included in the same punishment; that the Newfoundland fishery was necessary to the subsistence of the people of New-England; and that, by the operations of this cruel act, half a million of people, including friends and foes, innocent and guilty, were condemned to perish by famine for the supposed offences of an inconsiderable number \*." The ministers contented themselves with

\* This notable project for starving the Americans into submission was generally attributed to the solicitor-general, who, in consequence, acquired the ludicrous characteristic appellation of "Starvation Wedderburne." That unprincipled politician having complained in a debate which took place about this period, "that the rebellious disposition of the Americans had been encouraged by those who avowed their cause in England;" Colonel Barré indignantly answered, "that the Americans might well be encouraged by their confidence in having friends at home, when they recollected that the honorable gentleman's voice had been made hoarse in condemning the measures of this country towards America." The bitter pen of Churchill has, in his *Rosciad*, thus characterized the future CHANCELLOR of Great Britain :

" Mute at the bar, and in the senate loud,  
Dull 'mongst the dullest, proudest of the proud;  
A pert prim prater of the northern race,  
Guilt in his look, and famine in his face,  
Stood forth" —



alleging the political necessity of this measure, and it was carried through both houses by the usual majorities.

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While this bill was pending, the friends of the minister, no less than the parliament, and the nation at large, were thrown into sudden astonishment by his lordship's announcing to the house a **CONCILIATORY PROPOSITION**. This famous motion, which was introduced by a long and elaborate speech, the minister affirmed to be founded on that passage of the late address, which declared, that whenever any of the colonies shall make a proper application to parliament, we shall be ready to afford them every just and reasonable indulgence. The proposition itself, which wears an ambiguous and enigmatical appearance, was precisely as follows:—"That when the governor, council, and assembly or general court of his majesty's provinces, or colonies, shall propose to make provision according to their respective conditions, circumstances, and situations, for contributing their proportion to the common defence, such proportion to be raised under the authority of the general court or general assembly of such province, or colony, and disposable by parliament; and shall engage to make provision also for the support of the civil government, and the administration of justice in such province or colony; it will be proper, if



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such proposal should be approved of by his majesty in parliament, and for so long as such provision shall be made accordingly, to forbear, in respect of such province or colony, to levy any duties, tax, or assessment, or to propose any further duty, tax, or assessment, except only such duties as it may be expedient to propose for the regulation of commerce; the net produce of the duties last mentioned to be carried to the account of such province, colony, or plantation respectively."

Though the intention of the minister, in the framing of this proposition, which there is good ground to believe the majority of the cabinet most reluctantly assented to, was perhaps just and laudable, it could not be imagined by any person capable of enlarged or comprehensive views, that in the present state of things it would be attended with any beneficial effect. When the *right* of taxation was positively and vehemently denied by America, a mere offer on the part of Great Britain to suspend the exercise of that right, so long as the Americans should tax themselves in the exact proportion, and for the precise purposes prescribed by parliament, must, to the Americans, appear an absolute mockery. The minister had the chagrin to perceive that the proposition was very indifferently received by the house. The gentlemen usually in opposition



treated it as nugatory, insidious, and ridiculous. It was said to be mean without being conciliatory. It was a more oppressive mode of taxation than that hitherto used, for it made no determinate demand. The colonies were to be held in durance by troops and fleets until singly and separately they should offer to contribute to a service they could not know, in a proportion they could not guess ; and on a standard which they were unable to ascertain. This obligation of blind obedience, was compared to the tyranny of the monarch of Babylon, who commanded his wise men, on pain of death, not merely to interpret his dream, but to tell him the subject of it.

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On the other hand, the high prerogative party violently exclaimed against this motion of conciliation, as a total abandonment of principle ; as being in direct opposition to the spirit of the late address ; as a contradiction to all the acts and declarations of parliament ; a virtual acknowledgment of injury ; and a mean prevarication, which could tend to no other purpose than to sacrifice the dignity of that house. They declared they would make no concessions to rebels with arms in their hands ; nor agree to any terms of reconciliation, in which an express and definitive acknowledgment of the supremacy of parliament was not a preliminary article.



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And a motion was actually made by Mr. Rigby for the chairman to leave the chair.—In the midst of the tumult occasioned by this motion, the solicitor-general, Wedderburne, who had once been himself a leading member of the opposition, and who had rendered himself peculiarly odious by his apostacy, rose, in order to explain the nature and tendency of the proposition in question, which, he said, had been exceedingly mistaken. He affirmed, “that it was far from the design of the proposition to assent to a dereliction of the rights of parliament, or to yield in any degree to the insolence of the Americans; but, on the contrary, it held forth a more wise and effectual method of enforcing the claims of the one, and repressing the arrogance of the other. The parliamentary right of taxation,” said he, “is so essential a part of sovereignty, that parliament, if it would, *cannot* surrender it; and this right is expressly reserved by the proposition. Does it then suspend the profitable exercise of the right? So far from it, that it shews the firm resolution of parliament to enforce the only essential part of taxation, by COMPELLING the Americans to provide what WE, not they, think just and reasonable. Thus it appeared that we were not contending, as some had affirmed, for trifles, or a vain point of honor; but the dispute was at length placed upon



its proper foundation—Revenue or no revenue ; and in default of an entire and unlimited compliance, he concluded with applying to America the famous denunciation, *DELEND A EST CARTHAGO.*”—The minister, who trembled at the idea of being left in a minority, gladly acquiesced in this very satisfactory explanation ; adding, in the genuine spirit of Machiavelian policy, that his motion was founded on the well-known maxim, “ *Divide et impera !*” that he had never expected the Americans would embrace this proposal, but that it was intended to disunite the colonies, and unite the people of England\*.

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\* That lord North, notwithstanding this scandalous declaration, was sincere in his overture of conciliation, appears not merely from the rage excited by it in the high prerogative party, but from a remarkable paper drawn up under the immediate inspection of the minister, for the express purpose of being transmitted to congress ; and of which we find the following notice taken in the journals of that assembly.

TUESDAY, May 30, 1775.

The CONGRESS met according to adjournment.

A member informed the congress, that a gentleman just arrived from London had brought him a paper, which he says he received from lord North, and which was written, at the desire of his lordship, by Mr. Grey Cooper, under-secretary to the Treasury ; and as the gentleman understood it to be his lordship's desire that it should be communicated to the congress, for that purpose he had put it into his hands.—The paper being read, is as follows :

“ That it is earnestly hoped by all the real friends of the



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The prerogative party being now CONCILIATED, the question was put, and the numbers proved on the division 274 to 88. A second bill was now brought in to restrain the trade of the colonies of East and West Jersey, Pennsylvania, Maryland, Virginia, and South Carolina, and the counties on the Delawar. The different parties in parliament appearing almost exhausted with the fatigue of incessant debate, this measure, unexpected and important as it was, passed with no memorable opposition.

On the 22d of March Mr. Burke moved a series of conciliatory propositions in the house of commons, which he enforced by a most able and

Americans, that the terms expressed in the resolution of the 20th of February last will be accepted by all the colonies who have the least affection for their king and country, or a just sense of their own interests :

“ That these terms were honorable for Great Britain, and safe for the colonies :

“ That if the colonies are not blinded by faction, these terms will remove every grievance relative to taxation, and be the basis of a compact between the colonies and the mother country :

“ That the people of America ought on every consideration to be satisfied with them :

“ That no farther relaxation can be admitted :

“ That the temper and spirit of the times are so much against concession, that, if it were the intention of administration, they could not carry the question. But administration have no such intention, as they are fully and firmly per-



eloquent speech, fraught with wisdom and knowledge, clear, dispassionate, and convincing, and in all respects worthy of a man of the highest reputation for genius and ability. In his exordium, Mr. Burke reviewed the state of Great Britain with regard to America, and acknowledged the difficulty he felt in advancing any proposition for permanent tranquillity. Anger and violence daily increasing, were hastening towards an incurable alienation of the colonies. His proposition was PEACE. Not peace through the medium of war: Not peace to be hunted through the labyrinth of intricate and endless negotiations: Not peace to rise out of universal

sued that further concessions would be injurious to the colonies as well as to Great Britain:

“That there is not the least probability of a change of administration.

“That they are perfectly united in opinion, and determined to pursue the most effectual measures, and to use the whole force of the kingdom, if it be found necessary, to reduce the rebellious and refractory provinces and colonies:

“There is so great a spirit in the nation against the congress, that the people will bear the temporary distresses of the stoppage of the American trade:

“They may depend on this to be true.”

ORDERED to lie on the table.

In this curious and characteristic paper, those who are capable of entering into the *philosophy of history* will discern a real desire of conciliation unequally conflicting with pride, resentment, and absurdity.



BOOK discord fomented from principle in all parts of  
XVI. the empire: Not peace to depend on the judicial  
1775. determination of perplexing questions, or precision in marking the shadowy boundaries of a complex government; but simple peace, sought in the spirit of peace, and laid in principles purely specific. I propose, said he, by removing the ground of the difference, and by restoring the former unsuspecting confidence of the colonies in the mother country, to give permanent satisfaction to your people. And far from a scheme of ruling by discord, to reconcile them to each other in the same act, and by the bond of the very same interest which reconciles them to British government." He declared, that his plan of conciliation was founded on the sure and solid basis of experience; that neither the chimæras of imagination, abstract ideas of right, nor mere general theories of government, ought to be attended to.

Taking advantage of the acquiescence of the house in the proposition of lord North, to infer, as from an established principle, that the American complaints were not without foundation, that conciliation was admissible previous to concession; and to conclude that the proposals ought to originate with Great Britain, he entered into a copious display and elucidation of his subject.



Dwelling upon the enlarged population of America, and increased importance of her trade both in exports and imports, he mentioned the astonishing fact, that in the course of the present century the amount of those exports to Great Britain had arisen from five hundred and seventy thousand pounds to upwards of six millions annually. Animated by this view of their great and growing prosperity, and pursuing the colonists, in imagination, into every quarter of the globe where their active and ardent genius had found the means of exertion, he exclaimed in an high and lofty strain of eloquence—"Whilst we follow them into the North amongst mountains of ice, whilst we behold them penetrating into the deepest recesses of Hudson's Bay, whilst we are looking for them beneath the arctic circle, they have pervaded the antipodes, and engaged under the frozen serpent of the South. Nor is the equinoctial heat more discouraging to them than the accumulated winter of the poles. Whilst some of them strike the harpoon on the coast of Africa, others pursue their gigantic toils on the shores of the Brazils. There is no climate that is not witness to their labours. When I contemplate these things; when I know they owe little or nothing to any care of ours, but that they have arrived at this perfection through a

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wise and salutary neglect, I feel the pride of power and the presumption of wisdom die away within me, and I pardon every thing to the spirit of liberty."

In the character of the Americans, he contended the love of freedom was the predominating feature; a fierce love of liberty, rendered jealous, suspicious, restive, and intractable, by the appearance of an attempt to wrest from them by force, or shuffle from them by chicane, the only advantage which in their estimation gave value to life. And he affirmed, that government, to be beneficial, or even practicable, must be adapted to the feelings, habits, and received opinions of the people; that all schemes of government which had been or could be proposed without due regard to these matters, would be found ineffectual and dangerous. Distance also from the seat of government, was moreover a consideration of great importance. "Three thousand miles of ocean," he exclaimed, "lie between you and your subjects! This is a powerful principle in the natural constitution of things for weakening government, of which no contrivance can destroy the effect. Seas roll, and months pass between the order and the execution. You have indeed winged ministers of vengeance, who carry your bolts to the remotest verge of the sea. But there a power



steps in, which limits the arrogance of the raging passions, and says, 'Hither shalt thou go, and no further.' Who are you, that you should fret and rage and bite the chains of nature? Nothing worse happens to you than to all nations possessing extensive empire; and it happens in all the forms into which empire can be thrown. In large bodies the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt and Arabia and Curdistan as he governs Thrace; nor has he the same dominion in Crimea and Algiers, which he has at Brusa and Smyrna. Despotism itself is obliged to *truck* and *huckster*. The sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all.—Spain in her American provinces submits to this immutable condition, the eternal law of extensive and detached empire."

From these investigations he proceeded to examine the means by which a new government had been established without the ordinary artificial *media* of a positive constitution, better observed than the antient government in its most fortunate periods, and yet formed in the midst of anarchy. Against the daring and stubborn spirit which could achieve such a prodigy, only three modes of proceedings could be found

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to change it;—by removing the causes; to prosecute it as criminal; or to comply with it as necessary. To alter those causes which were moral, he pronounced no less impracticable than to remove those which were natural. The second mode was too vast for his ideas of jurisprudence. He confessed that he was not acquainted with the method of drawing up an indictment against a whole people: he could not insult and ridicule the feelings of millions of his fellow-creatures: he was not ripe to pass sentence on the gravest public bodies, entrusted with magistracy of great authority and dignity, and charged with the safety of their fellow-citizens on the same title with himself; he really thought for a wise man this was not judicious; for a sober man not decent; for a mind tinctured with humanity, not mild or merciful. Nor were the crinations hitherto adopted attended with a correspondent effect. Massachusetts Bay was declared in rebellion, but no individual was convicted or even apprehended; measures of coercion were resorted to, rather resembling a qualified hostility against an independent power than the punishment of rebellious subjects.

Conciliation and concession then alone remained. The colonies complained of being taxed in a parliament where they were not represented. If they were to be satisfied, it was



by giving them the boon they asked; not another of a kind totally different, but which might be thought better for them. He deprecated all discussion on the right, as foreign from the question, which related merely to expediency. Whether the grant of money was a private power reserved out of the general trust of government, and how far mankind in all forms of polity were entitled to an exercise of that right by the charter of nature. Or whether, on the contrary, a right of taxation was involved in the general principle of legislation, and inseparable from the ordinary supreme power. These, he said, are deep questions, where great names militate against each other, where reason is perplexed; and an appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides; and there is no sure footing in the middle. This is, in the language of Milton,

“ A gulph profound, as that Serbonian bog,  
 ’Twixt Damietta and Mount Casius old,  
 Where armies whole have sunk.”

He disclaimed, therefore, any intention to decide upon the question of right, and wished to consider solely the question of policy. Without enquiring, Whether they had a right to render their people miserable? he asked, Whether it was not their interest to make them happy? And



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instead of taking the opinion of a lawyer on what they *might* do, he thought it more consonant with reason, humanity, and justice, to consult what they *ought* to do in an emergency like the present. The colonies, as they had hitherto been governed, were living monuments of the wisdom of our ancestors. The only method of governing them with safety or advantage, was by admitting them to an interest in our constitution, and by recording that admission in the journals of parliament, to give them as strong an assurance as the nature of the thing would allow, that we mean for ever to adhere to the system originally established. The idea of governing by force, he reprobated as gross in its conception, uncertain in its effect, and ruinous even in its success. In conformity to these principles, parliament must revert to the antient constitutional policy of these kingdoms, which established taxation in America by grant and not by imposition, which recognized the legal competency of the colonial assemblies for the support of the civil government in time of peace, and for public aids in time of war.

In explanation and vindication of this long established policy, he pleaded the unrepresented state of the Colonies, and the injustice of taxing them by a British parliament. Distance prevented their sending deputies to England; and they



had general assemblies of their own legally authorized to raise taxes. Those assemblies had frequently granted large subsidies to the king, which had been found a more agreeable and beneficial manner of conducing to the public service, than acts of parliament: and he maintained that a larger fund would be derived from prosperous gratitude than could be obtained from compulsive oppression.

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“What is the soil or climate,” he exclaimed, “where experience has not uniformly proved, that the voluntary flow of heaped-up plenty bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue than could be squeezed from the dry husks of oppressed indigence, by the straining of all the political machinery in the world !”

He declared in the strongest terms, the utter impossibility of receiving a revenue in England transmitted from America, and argued from the example of Bengal, where the sums received in taxes were refunded by loan, that no fiscal emolument could be expected from a distant country. “Bengal was peculiarly qualified to produce and transmit wealth. America had none of these aptitudes. If she gave taxable objects, on which to lay duties here, and a surplus by a foreign sale of her commodities, she performed her part to the British revenue. With



BOOK regard to her own internal establishments, she  
XVI. might, and doubtless would contribute in *mo-*  
1775. *deration*—nor ought she to be *permitted* to  
exhaust herself. Magnanimity in politics is not  
seldom the truest wisdom ; and a great empire  
and little minds go ill together. If we are con-  
scious of our situation, and glow with zeal to fill  
our place as becomes our station ; we ought to  
elevate our minds to the greatness of that trust to  
which the order of Providence has called us. By  
adverting to the dignity of this high calling, our  
ancestors have turned a savage wilderness into a  
glorious empire ; and have made the most exten-  
sive and the only honorable conquests ; not by  
destroying but by promoting the wealth, the  
number, and the happiness of the human race.”

The purport of the resolutions, which were  
thirteen in number, went to recognize the legal  
competency of the colonial assemblies for all the  
various purposes of taxation ; to acknowledge  
that this legal competency has had a just and  
beneficial exercise ; that experience has shewn  
the benefit of their grants, and the futility of  
parliamentary taxation as a method of supply.  
Others of the propositions related to the settle-  
ment of an independent judicature ; the regu-  
lation of the courts of admiralty, and the repeal  
of the late coercive acts of parliament. The  
previous question being moved on the first propo-



sition, it was carried in favor of the ministry by 270 voices to 78; and the remaining ones were with the same facility evaded, or negatived without a division\*. Never was such an effort of wisdom and eloquence made so entirely in vain.

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Another attempt was in a few days made by Mr. Hartley, a very respectable member of opposition, to effect an accommodation of this fatal quarrel, by moving "that letters of requisition should be issued, agreeably to ancient precedent, under authority of the crown, with a view to procure a permanent and voluntary contribution from the several colonies towards the general expenses of the empire:" but this was negatived without a division.

At this period the city of London once more ventured to breathe her fruitless requests in the ear of majesty, by an address, remonstrance, and petition, which was distinguished by the remarkable circumstance of its being presented to the king by Mr. Wilkes, in his official capacity of lord mayor, to which civic dignity he had

\* These propositions of Mr. Burke may be considered as comprising the mature and deliberate plan of the Rockingham party for the restoration of the public tranquillity, to which purpose they were most wisely and happily adapted. The speech by which they were enforced is by far the most valuable of Mr. Burke's productions; it can never be too much studied or admired. Of the speaker it can only be said, *O si sic omnia dixisset!*



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been elected at the close of the preceding year. In this remonstrance the citizens of London declared “their abhorrence of the measures which had been pursued, and were then pursuing, to the oppression of their fellow-subjects in the colonies. Not deceived by the specious artifice of calling despotism dignity, they said, they plainly perceived that the real purpose was to establish arbitrary power over all America. These measures, they affirmed, were carried into execution by his majesty’s ministers, by the same fatal corruption which had enabled them to wound the peace and violate the constitution of this country. Your petitioners, therefore, they say, do most earnestly intreat your majesty to dismiss immediately and for ever from your councils those ministers and advisers, as the first step towards a redress of those grievances which alarm and afflict your whole people.”—The following answer was, in a tone of marked and unusual emotion, delivered from the throne: “It is with the utmost astonishment that I find any of my subjects capable of encouraging the rebellious disposition which unhappily exists in some of my colonies in North America. Having entire confidence in my parliament, the great council of the nation, I will steadily pursue those measures which they have recommended for the support of the constitutional rights of Great



Britain, and the protection of the commercial interests of my kingdoms." BOOK  
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Towards the close of the session the house resolved itself into a committee, at the motion of the minister, to consider of the encouragement proper to be given to the fisheries of Great Britain and Ireland. Bounties were granted to the ships in either kingdom employed in the Newfoundland or Greenland fisheries; Ireland was allowed to export tools and implements for the purposes of the fisheries; and by two resolutions not connected with the original motion, and intended as an additional douceur, it was rendered lawful, 1st, to export from Ireland clothing for such regiments on the Irish establishment as were employed abroad; and by the 2d, five shillings per barrel bounty was allowed on the importation of flax-seed into that kingdom. But these trivial concessions rather excited the contempt than the gratitude of that long-oppressed and long-suffering nation.

On the 15th of May, Mr. Burke presented to the house a paper styled "A Representation and Remonstrance from the General Assembly of New York." This province, accounted less disaffected than any other, and which in conjunction with North Carolina had hitherto refused an unreserved acquiescence in the resolutions of the Congress, had not been included in the late



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Restraining Acts. But, at the suggestion of the minister, this remonstrance was rejected by the house, as containing claims inconsistent with the unlimited authority of Great Britain :—a fortunate circumstance for America ; as this refusal completed that union which it was the policy, though in this instance counteracted by the pride, of the court to obstruct or dissolve. A memorial from the same body was at the same time presented to the house of peers by the duke of Manchester : but their lordships would not suffer it to be read, affirming, that the *title* of the paper rendered it inadmissible ; though it was observed by the noble mover, that the lowest commissioned officer in the service had an unquestioned right to present a memorial to the king ; so that it was not easy to conceive how the term in question could militate against their lordships' dignity. At length this extraordinary session was brought to a close, and the king was pleased to express from the throne “the most perfect satisfaction in the conduct of his parliament, and his entire conviction that the most SALUTARY EFFECTS must result from *such measures* formed and conducted on *such principles*.” What these *effects* were, we must now turn our eyes to the continent of America in order to ascertain.

All EUROPE saw with amazement the spirit of rashness and folly which at this crisis reigned



in the councils of Britain, and which prompted her to treat with such unparalleled harshness and disdain those colonies which, in better and happier times, she had cherished with fond affection ; and of which she might truly and proudly boast, that as no nation had ever formed colonial establishments on principles so liberal, no colonies had ever, in so short a period, attained to such prosperity, or so amply rewarded the parental cares of the country from which they sprang. FREDERIC the Third, king of Prussia, that great monarch, who, combining in his own person the characters of the hero, the philosopher, and the statesman, may be considered as not inferior to any sovereign who has ever swayed the sceptre of any country, has left upon record, in terms very explicit and remarkable, his sentiments respecting the conduct and policy of the English government in relation to America. “ ENGLAND,” says he, “ at this period had involved herself in a war with her colonies, undertaken in the spirit of despotism, and conducted in that of folly. It was BUTE who still governed the king, and directed the councils of the kingdom. Like one of those malignant spirits who are perpetually talked of, and never seen—he enveloped himself in profound darkness, whilst, by means of his secret instruments and emissaries, he moved the whole



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political machine at his pleasure. His system was that of the antient **TORIES**, who maintained the unlimited power of the crown to be necessary to the public welfare.—Haughty and harsh in his deportment, little solicitous as to the selection of the means which he employed in the accomplishment of his purposes, his obstinacy could be exceeded only by his indiscretion;—a civil list of one million scarcely sufficed to gratify the venality of parliament. The English nation, **DEGRADED** by its **SOVEREIGN**, appeared to have no will separate from that of the court. But, as if this was not enough, the minister **Bute** engaged the king to attempt an arbitrary taxation of the American colonies, at once to augment his revenues, and to establish a precedent which might at a future time be imitated in Great Britain. The Americans, whom the court had not deigned to corrupt, opposed themselves openly to these imposts, so contrary to their charters, their customs, and to the liberties which they had enjoyed uninterrupted from their first establishment. A wise government would have hastened to appease these growing troubles, but the court of London acted upon other principles. The rigour and violence of their proceedings completed the alienation of the Americans. A congress was convened at Philadelphia, in which it was determined to shake off the English yoke ;



and from this time we see Great Britain engaged in a ruinous war with her own colonies.—France, the perpetual rival of England, saw with pleasure these civil commotions, and secretly encouraged the Americans to defend their rights against the despotism which George III. was desirous to establish, by holding out to them a prospect of future succours \*.”

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During the course of the preceding winter 1774-5, no transactions of sufficient moment to demand a particular recital had occurred in

\* L'ANGLETERRE étoit engagée dans une guerre civile avec ses colonies, entreprise par esprit de despotisme, et conduite avec mal-adresse. C'est l'Ecossois BUTE qui gouverné le roi et le royaume : semblable à ces esprits mal-faisans dont on parle toujours, et qu'on ne voit jamais, il s'enveloppe ainsi que ses opérations des plus profondes ténébres. Ses émissaires, ses créatures, sont les ressorts avec lesquels il meut cette machine politique selon sa volonté. Son système politique est celui des anciens TORYS, qui soutiennent que la bonheur de l'Angleterre demande que le roi jouisse d'un pouvoir despotique.—Impérieux et dur dans le gouvernement, peu soucieux sur le choix des moyens qu'il emploie, sa mal-adresse dans le maniement des affaires l'emporte encore sur son obstination.—Un million de livres sterlins que la nation paye annuellement au roi pour l'entretien de sa liste civile ne suffisoit qu'à peine pour contenter la vénalité des membres du parlement.—La nation, dégradée par son souverain même, n'eut depuis d'autre volonté que la sienne. Mais, comme si ce n'étoit pas assez, le lord Bute engagea le roi à taxer des impôts arbitraires les colonies Americaines, autant pour



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America. Military preparations continued to be made with unremitted ardor, and the cannon and stores belonging to government were seized by the provincials in Rhode-Island and other parts; as, on the contrary, general Gage had made various seizures of ammunition, powder, &c. deposited in the vicinity of Boston. The king's speech, and the subsequent proceedings of parliament, left no hope of accommodation; for the resolution and resentment of America rose in proportion to the arbitrary and oppressive acts of Britain; and a single spark only was now

augmenter ses revenus que pour donner un exemple, qui, par la suite des tems, pût être imité dans la Grande Bretagne. Les Americains, qu'on n'avoit pas daigné corrompre, s'opposèrent ouvertement à cet impôt si contraire à leurs droits, à leurs coutumes, et surtout aux libertés dont ils jouissoient depuis leur établissement. Un gouvernement sage se seroit hâté d'appaiser ces troubles naissans; mais le ministère de Londres agit d'après d'autres principes. La dureté et la violence acheva de soulever les Americains. Ils tinrent un congrès à Philadelphie, où, renonçant au joug Anglois, qui desormais leur devenoit insupportable, ils se déclarèrent libres et indépendans. Dès-lors voilà la Grande Bretagne engagée dans une guerre ruineuse avec ses propres colonies.—La France, toujours rivale de l'Angleterre, voyoit avec plaisir ces troubles. Elle encourageoit sous main l'esprit de revolte, et animoit les Americains à soutenir leurs droits contre le despotisme que le roi George III. vouloit y établir, en leur présentant en perspective les secours qu'ils pouvoient attendre.”—*Oeuv. de Frederic III. tome iv.*



wanting to set the whole continent in a flame. BOOK  
General Gage having intelligence of a consi- XVI.  
derable magazine deposited at the town of Con- 1775.  
cord, about twenty miles distant from Boston,  
where the provincial congress was also held,  
detached, on the night preceding the 19th of  
April, 800 grenadiers and light infantry, under  
the command of colonel Smith, who proceeded  
on their march with great silence; but by the  
firing of guns and ringing of bells they at length  
perceived themselves discovered; and on their  
arrival at Lexington, at five in the morning,  
they found the company of militia belonging to  
that place drawn up on the green; on which  
major Pitcairn, who led the advanced guard,  
cried out, "Disperse, rebels! throw down your  
arms, and disperse!" This not being immediately  
complied with, he ordered the soldiers to fire;  
eight or ten of the provincials were killed, and  
the rest speedily retreated. The king's troops  
immediately marched on to Concord, destroyed  
such stores as they found, and spiked three or  
four pieces of iron cannon. On their return, the  
passage of a bridge being disputed by a party of  
provincials, a skirmish ensued, in which several  
men were killed on both sides; and the whole  
country being by this time alarmed, rose on all  
quarters, pressing close upon their rear; and a  
scattering and irregular fire was also directed



BOOK against them from behind trees, houses, and  
XVI. hedges, which supplied the place of lines and  
1775. redoubts. It fortunately happened, that general  
Gage, apprehensive of the danger of the service,  
had early in the morning ordered lord Percy,  
with a second detachment, equal in number to  
the first, and two field-pieces, to march to Lex-  
ington, where they were joined in a short time  
by colonel Smith, who would otherwise have  
found great difficulty in forcing his way back to  
Boston, his ammunition being entirely expended.  
As soon as the troops resumed their march, they  
were again harassed and assailed in the same man-  
ner as before ; and with great fatigue and great  
damage they at length arrived about sun-set at  
Charlestown, whence they crossed the harbor  
in boats to Boston, under the protection of the  
Somerset man of war. In the different actions  
of the day, the loss of the king's troops was  
estimated at near 300 men, in killed, wounded,  
and prisoners, while that of the provincials did  
not exceed 90. Such was the inauspicious com-  
mencement of this disastrous war, and so ill did  
facts correspond with the boastful language of  
those, who at the head of a few regiments had  
threatened to carry terror through the conti-  
nent. The sword being once drawn, the Ameri-  
cans seemed determined to throw away the  
scabbard. In a few days after the engagement



at Lexington, the provincial congress of Massachusetts resolved, that 30,000 men be forthwith raised, of which generals Ward, Putnam, Heath, and Thomas, were appointed to the command: and a great military force collecting in the vicinity of Boston, formed the complete blockade of that important town.

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General Putnam, who had served with reputation under lord Amherst at the head of the Connecticut troops during the last war, had long since retired to a remote farm, which he cultivated with his own hands; and when the intelligence of his appointment was notified to him, he was found, like another Cincinnatus, in a leathern frock and apron, occupied amongst his labourers in fencing in his land. Without a moment's hesitation he laid down his spade, and assumed the general's truncheon—within eighteen hours repairing to the head-quarters at Lexington, which was little short of an hundred English miles distant.

On the 10th of May, 1775, the general congress, regardless of the circular letter of lord Dartmouth, forbidding in the king's name the election of delegates, met at Philadelphia; and among their first acts were, resolutions for raising a continental army, and establishing a paper currency; also a declaration, that, by the late violation of the charter of Massachusetts Bay,



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the compact between the crown and that colony was dissolved. The colonies of New York and North Carolina now declared their fixed resolution to unite with the other provinces in every effort to retain their just rights and liberties. The conciliatory proposition of lord North being taken into consideration, it was unanimously rejected; and for this rejection the congress assigned their reasons at large and in a very masterly manner. “If,” say they in their public declaration, “we accede to this proposal, we declare without reservation we will purchase the favor of parliament, not knowing at what price they will please to estimate it. We think the attempt unnecessary to raise upon us by force or threats our proportional contributions for the common defence; when all know, and themselves acknowledge, we have fully contributed whenever called upon to do so in the character of freemen. We are of opinion, it is not just that the colonies should be required to oblige themselves to other contributions, while Great Britain possesses a monopoly of their trade: this of itself lays them under heavy contributions. To demand therefore additional aids in the form of a tax, is to demand the double of their equal proportion. If we are to contribute equally with the other parts of the empire, let us equally with them enjoy free commerce with all the world.”



At the latter end of May, the generals Howe, Burgoyne, and Clinton, arrived at Boston, with large reinforcements of troops ; so that the entire force stationed in that place or its vicinity was now become very considerable, not less than 10,000 men. A proclamation was also issued by general Gage, offering a pardon in the king's name to all who should forthwith lay down their arms ; excepting only from the benefit of this amnesty Samuel Adams and John Hancock, who were destined to condign punishment. All those who did not accept of the proffered mercy were declared rebels and traitors, and martial law established till the colony was restored to the king's peace. No other notice was taken by the congress of this proclamation, than to choose Mr. HANCOCK president of that assembly. At the same time GEORGE WASHINGTON, esq. was unanimously chosen general and commander in chief of the continental army. This gentleman had distinguished himself early in life by his gallant exertions in the late war, particularly on the memorable day of the defeat of general Braddock ; when, at the head of the provincial militia, he covered the retreat of the regular forces, and prevented the total ruin of the royal army. Since the termination of the war, he had resided upon his estate at Mount Vernon, on the banks of the Potowmac, a beautiful and romantic spot



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situated in the interior parts of Virginia, solely occupied in the arts of agricultural improvement and cultivation. His character for understanding, probity, and patriotism, stood in the highest degree of estimation. His personal accomplishments corresponded with those of his mind; and his countenance and figure were singularly noble and engaging. No choice ever met with more general and zealous approbation, nor ever reflected in the event more honor on the judgment and sagacity of those by whom it was made. The new general signified his acceptance of this high and arduous appointment in a very handsome speech, in which he modestly declared his incompetency to the command, which he styled “a field too boundless for his abilities, and far, very far, beyond his experience: but in obedience to the call of his country, he would, without hesitation, enter upon this momentous duty, and exert every power he possessed in support of so glorious a cause; at the same time informing the assembly, that he would receive no pecuniary emoluments in compensation of his services.” Horatio Gates, esq. was appointed by the congress adjutant-general, and Artemas Ward and Charles Lee, esqrs. first and second major-generals. The last of these officers was a man of extraordinary and eccentric genius, who had served with great reputation in Portugal and elsewhere



during the last war. Passionately attached to the principles of democratic liberty, rather from a proud disdain of superiority than from the pure and genuine ardor of benevolence—on the prospect of a war with the colonies, he had resigned his commission in the British army, and immediately offered his services to congress, by whom they were gladly accepted; and on his military talents, skill, and experience, they justly placed very great dependence.

The English generals, weary of their confined situation, and feeling no doubt the disgrace of being with so great a force blockaded by an enemy they had affected to despise, had formed a plan to possess themselves of the heights of Dorchester, southward of the town: but, on the morning of the 16th of June, 1775, they were greatly surprised at the appearance of a redoubt breast-work and entrenchment thrown up in the night on an eminence called Bunker's Hill, to the north of Boston, on a peninsula divided by a narrow channel from that on which the town of Boston itself is situated. A resolution was immediately taken to attack this post, from which they were liable to be so much annoyed; and a detachment of 3000 chosen troops was immediately ordered on the service, under the command of general Howe. The troops ascended the hill with great resolution, but with slow and

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1775. deliberate step. The Americans, under the direction of the old veteran Putnam, reserving themselves till the British forces were within ten or twelve rods, then poured in an unexpected and furious fire, which suddenly arrested their progress, and threw them into great disorder. Being rallied by the exertions of their officers, they again advanced, till a second discharge again threw them into a similar confusion. The generals Howe and Clinton, now placing themselves at the head of the troops, and for a time almost unsupported, led them on to a third attack; and the redoubt being now assailed on both sides, and enfiladed by the cannon from the ships and batteries, the provincials were compelled to abandon their works, retreating across the isthmus to Cambridge with inconsiderable loss. But on the part of the British, not less than 1100 were killed or wounded, and amongst them 89 officers, who were particularly aimed at by the American riflemen. This was one of the warmest and most bloody conflicts ever known for the time it lasted, and the number of men engaged: and it was remarked, that at the battle of Minden, where the British infantry sustained the fire of the whole French army, the officers suffered much less, and of privates the loss was scarcely greater. In the heat of the action, Charlestown, a sort of suburb to Boston, situated



on the opposite peninsula, and containing several hundred houses, was set on fire by the British forces, and entirely consumed.

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In the beginning of July, general Washington arrived at the head-quarters near Boston: he was received with all civic and military honors, and an address of congratulation was presented to him by the assembly of Massachusetts; in return for which he declared, that his highest ambition was to be the happy instrument of vindicating the common rights of America, and of restoring that devoted province to peace, liberty, and safety. The town of Boston, together with the post now occupied by the English at Bunker's Hill, continued to be closely invested: and though the American army was at this time suffering under every species of privation, and extremely deficient in powder, ammunition, and military stores of every kind, happily no attempt was made by the English generals to molest them. For this disgraceful supineness, which excited the utmost astonishment of the American commander, no reason has ever been assigned: In the beginning of August, general Washington writing to the president of congress, declares himself unable to account for the delay, unless the enemy are waiting in expectation that the colonies must sink under the weight



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of the expense or the prospect of a winter campaign.—In the same dispatch he avows the situation of the American army in the article of powder, to be most alarming, and that the safety of the country depends upon its being kept a profound secret. In the month of November, he again speaks of the extreme distress of the army, of which he says general Howe is well apprized, it being the common topic of conversation. And he subsequently declares, (Jan. 4, 1776,) that it is not in the pages perhaps of history to furnish a case like theirs: for six months together to maintain a post without powder, and all that time within musket shot of a superior enemy. In these circumstances, the capture of a large brigantine laden with military stores for Boston, was a most seasonable and important acquisition. The general congress had, in the beginning of June, come to an important resolution, that the colonies of America would not only continue to grant extraordinary aids in time of war, but also, if allowed a free commerce, pay into the sinking fund such a sum annually for an hundred years, as should be more than sufficient in that time, if faithfully applied, to extinguish ALL the present debts of Britain. But the intelligence at this period arriving of the prohibitory and other MAD ACTS of the British parliament, it was not suf-



ferred to be entered upon the minutes\*. Georgia BOOK  
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having now acceded to the confederacy, which from this time assumed the appellation of the Thirteen United Colonies, they issued, in July, a declaration, setting forth the causes and necessity of their taking up arms. “WE are reduced,” say they, “to the alternative of unconditional submission, or resistance by force; the latter is our choice. We have counted the cost of this contest, and find nothing so dreadful as voluntary slavery. Honor, justice, and humanity, forbid us tamely to surrender that freedom which we received from our ancestors, and which our posterity have a right to receive from us. We cannot endure the

\* Well might America on the receipt of these lunatic acts, in the paroxysm of her resentment and indignation, be allowed to exclaim in the language of the Poet:

Protect us, mighty Providence!

What would these madmen have?

Shall free-born men in humble awe

Submit to servile shame,

Who from consent and custom draw

The same right to be rul'd by law

Which kings pretend to reign?

DRYDEN.

How strange is it that mankind are not better able to distinguish between things so opposite as wisdom and folly! Surely, on a review of the proceedings of the British government for a series of years past, there is good ground for acquiescing in the humiliating observation of Swift, “that common sense is not so common a thing as is generally imagined.”



BOOK infamy and guilt of resigning succeeding genera-  
XVI. tions to that wretchedness which inevitably  
1775. awaits them, if we basely entail hereditary bondage upon them." This declaration was read at the head of every regiment, and received with great applause and acclamation. At the same time, and as the last effort for effecting an accommodation, the congress resolved upon a second petition to the KING, which, though less eloquent than the first, was expressed in terms the most guarded, temperate, and respectful: and so flattering were the hopes conceived of its happy effects by those who sighed for the return of peace, that it received, by a sort of general assent, the appellation of the "Olive Branch." This petition was transmitted to England through the highly respectable medium of Mr. Penn, proprietary governor of the province of Pennsylvania, and a lineal descendant of that famous and beneficent legislator in whose estimation the sword and the sceptre were equally superfluous, and in comparison with whom Solon and Lycurgus hide their diminished heads\*. "Attached," say the petitioners, "to your majesty's person, family, and government, with all the devotion that prin-

\* "This great man lived to see an extensive country called after his own name; he lived to see it peopled by his own wisdom, the people free and flourishing; he lived to lay the foundation of a splendid and wealthy city; he lived to see



ciple and affection can inspire ; connected with Great Britain by the strongest ties that can unite societies ; and deploring every event that tends in any degree to weaken them ; we solemnly assure your majesty, that we not only most ardently desire that the former harmony between her and these colonies may be restored, but that a concord may be established between them upon so firm a basis, as to perpetuate its blessings, uninterrupted by any future dissensions, to succeeding generations in both countries ; to transmit your majesty's name to posterity, adorned with that signal and lasting glory that has attended the memory of those illustrious personages whose virtues and abilities have extricated states from dangerous convulsions, and, by securing happiness to others, have erected the most noble and durable monuments to their own fame. We beg leave further to assure your majesty, that, notwithstanding the sufferings of your loyal colonists during the course of the present controversy, our breasts retain too tender a regard for the kingdom from which we derive our origin to request such a reconciliation as might in any manner be inconsistent with her dignity

it promise every thing from the situation which he himself had chosen, and the encouragement which he himself had given it ; he lived to see all this—but he died in the Fleet prison.” — *Burke's European Settlements.*



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or her welfare; and the apprehensions that now oppress our hearts with unspeakable grief being removed, your majesty will find your faithful subjects on this continent ready and willing at all times, as they have ever been, with their lives and fortunes to assert and maintain the rights and interests of your majesty and of our mother country. We therefore beseech your majesty, that your royal authority and influence may be graciously interposed to procure us relief; with all humility submitting to your majesty, whether it may not be expedient that your majesty be pleased to DIRECT some MODE by which the united applications of your faithful colonists to the throne may be improved into a happy and permanent reconciliation." To this petition, which Mr. Penn delivered into the hands of the earl of Dartmouth on the 1st of September, he was, after a short interval, informed that "NO ANSWER WOULD BE GIVEN!"

Sanguine hopes had been entertained by the English court that the inhabitants of Canada might be induced to take an active part in this war against America; and twenty thousand stand of arms were actually sent to Quebec, for the use of the Canadians. But a very general discontent pervaded the minds of the people on account of the late bill; and the militia of the province, on being applied to by the governor,



general Carleton, absolutely refused to pass the limits of it—declaring, that this was a quarrel which did not concern them, and in which they were determined to take no part. The disposition of the Canadians being thus ascertained, a project was formed for the invasion of that province, which, as no danger was apprehended, was protected by a very inconsiderable force. General Montgomery, with an army not exceeding 3000 men, being appointed to conduct this expedition, immediately proceeded to St. John's, situated on the banks of Lake Champlain, before which he encamped on the 17th of September 1775. After a very gallant defence, that important fortress was surrendered on the 2d of November; Chamblée being also in the mean time captured by a separate detachment. General Montgomery now pressed on to Montreal; which being deemed incapable of resistance, general Carleton quitted it with precipitation one day, and the American general entered it in triumph the next. Nearly at the time that these transactions took place, Ticonderoga and Crown Point were surprised by an irregular band, hastily collected, of *green-mountain-men*, and other inland settlers, under the command of a bold partisan, styled by his followers colonel Allen: and on the other side colonel Arnold, an officer of distinguished courage and activity



**BOOK** in the service of the congress, after suffering in-  
**XVI.** credible hardships in traversing a rude and path-  
**1775.** less wilderness during a march of thirty-one days,  
ascending by the Kennebeck, and descending  
by the Chaudière, at length reached Point  
Levi, on the southern bank of the St. Laurence,  
where he expected the arrival of Montgomery.  
General Carleton was now reduced to a very  
critical situation. Immediately on the evacua-  
tion of Montreal, he was conveyed in a boat  
with muffled paddles down the river to Quebec  
—a precaution very necessary, as the Americans  
had by surprising exertions made themselves  
masters of the navigation of the St. Lawrence.  
The governor now made every possible prepa-  
ration for a vigorous defence. On the 1st of  
December general Montgomery joined colonel  
Arnold before Quebec, the garrison of which  
consisted, including provincials and marines, of  
about one thousand six hundred men. Notwith-  
standing the extreme severity of the season in  
this inclement climate, general Montgomery  
immediately began erecting his batteries, which  
by a perfect novelty in military science, being  
composed of snow and water, soon became  
solid ice. But finding his artillery make little  
impression, he determined on a general assault:  
this was attempted in two different quarters of  
the town, the several divisions being commanded



by colonel Arnold and the general in person. In the first onset general Montgomery, leading on his men with undaunted resolution, was killed by a discharge of grape-shot; and his troops falling into immediate disorder, were repulsed with much slaughter. On the other side, colonel Arnold, by great exertions of courage, forced the first barrier; but before he could attempt the second, the whole strength of the garrison, in consequence of the catastrophe in the opposite quarter, was collected against him. Colonel Arnold himself received a dangerous wound in the leg by a musquet ball, and was compelled to retire to the camp. The Americans of this division, being now attacked both in front and rear, were, after a brave resistance, at length obliged to lay down their arms, and surrender themselves prisoners of war. This was a very complete victory on the part of the governor, whose skill and courage on this occasion merited every eulogium. Nevertheless, to fortune was he in a great degree indebted for his success, the fall of the American commander being absolutely decisive of the event. The character of general Montgomery, judging from the uniform tenor of his conduct throughout this memorable expedition, and from the united testimony of all America in his favor, could not easily be estimated too highly. To the courage



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of the soldier he joined the military skill of the general and the virtues of the man. He is said to have possessed a mind highly cultivated, and a person and address easy, graceful, and manly. He was of the number of those favoured and exalted few, “whom both MINERVAS call their own.” When his body was taken up, his features were not in the least distorted, but his countenance appeared regular, placid, and serene. He was interred with all military and funeral honors by the governor, who had the magnanimity to esteem and acknowledge superior excellence even in an enemy. What appears most astonishing is, that colonel Arnold, with the shattered remains of his troops, now far inferior in number to the garrison, was yet able to continue the blockade of the city, and to reduce it to great distress for the want of provisions.

It is necessary to cast a transient view at the state of affairs at this period in the principal provinces of the continent. Lord Dunmore, governor of Virginia, had adopted the resolution, in consequence of the disputes long subsisting between him and the people, and which rose by degrees to the greatest violence, to take refuge on board the Fowey man of war, in the month of June: to which he strangely attempted to transfer the sittings of the assembly—a requisition with which the legislative body absolutely



refused compliance. His lordship being divested of his authority, carried on a sort of predatory war against the province, proclaimed martial law, and immediate emancipation to all negroes and indented servants able and willing to bear arms in his majesty's service—a measure which caused the greatest irritation and resentment, without being productive of any adequate advantage. At length an event took place, which completed the alienation of the Virginians from the English government. A demand was made by the shipping in the bay of Chesapeake, to the inhabitants of the town of Norfolk, for provisions and other supplies for his majesty's service; which being peremptorily refused, a heavy cannonade was by order of the governor commenced against the town, the richest and most flourishing in the province, and in a few hours it was reduced to ashes—the loss being estimated at three hundred thousand pounds. Such were the methods adopted by lord Dunmore for the restoration of peace and order in that great and extensive province. In the adjacent country of Maryland the wisdom and moderation of governor Eden prevented these fatal extremities; and, when the British government was at length entirely superseded, he retired from the province, carrying with him the esteem and admiration of every party, and almost of every



BOOK individual. In the Carolinas, lord William  
XVI. Campbell and governor Martin, adopting the  
1775. policy of lord Dunmore, were also compelled  
to withdraw for safety on board the king's ships  
lying off the coast. In Pennsylvania, a military  
association was established throughout the pro-  
vince; and a similar spirit, indicating itself in  
different modes, pervaded the whole chain of  
colonies from the frozen deserts of Nova Scotia  
to the burning sands of Florida.

In the Massachusetts Bay, the town of Fal-  
mouth, from similar causes of offence with that  
of Norfolk, was set on fire, and destroyed by a  
tremendous cannonade; in the course of which  
above three thousand shot, besides bombs and  
carcasses, were thrown into the place. The gar-  
rison of Boston was maintained at an incredible  
expence by supplies from England, a great pro-  
portion of which was intercepted by the Ame-  
rican cruisers; and the town continued closely  
blockaded during the whole winter. Towards  
the end of February, 1776, it was determined by  
general Washington to take possession of the  
heights of Dorchester, situated in a peninsula  
stretching into the bay to the south of Boston.  
All the previous preparations being made, a  
party of two thousand men, on the evening of  
the 4th of March, passed in profound silence  
the neck or isthmus, followed by three hundred



carriages with entrenching tools. It being bright moonlight, they continued working till day-break, when two redoubts were completed, as if by the power of enchantment, to the inexpressible astonishment of general Howe, who was informed by the admiral that he could not, while the enemy possessed those heights, be responsible for the safety of his majesty's ships in the harbour. A resolution was immediately taken by the general, now chief in command by the departure of general Gage, to dislodge them: but a prodigious storm of wind, succeeded by a deluge of rain, effectually prevented the meditated attack: and the works having been nevertheless carried on in the mean time with unremitting diligence by the Americans, were now judged too strong to be carried by a *coup-de-main*, and it was determined to evacuate the town. Another work being thrown up, which from its proximity had the entire command of Boston-neck, this determination was most precipitately carried into execution early in the morning of the 17th of March, 1776; when the whole of the troops, together with such of the inhabitants as were attached to the royal cause, put to sea on board the transports lying in the harbour, though very insufficient in number for the purpose; and after a tempestuous and dangerous voyage they at length landed safely at Halifax.



BOOK On the succeeding day general Washington entered the town in triumph, and found there a great quantity of stores and provisions which the English commander had neither time to remove or to destroy\*. Compliments of congratulation were immediately paid to the American general on this occasion by the convention of Massachusetts. And he was soon afterwards commissioned to communicate in general orders to the officers and soldiers under his command the thanks of congress for their good behaviour in the service. They were indeed, says the general, at first a band of undisciplined husbandmen; but it is, under God, to their bravery and attention to their duty, that I am indebted for that success which has procured me the only reward I wish to receive—the affection and esteem of my countrymen.”

Some time previous to this event, the Oneidas and other Indian nations had sent a deputation to that assembly, of their chiefs and warriors, who, in the simple style of Indian eloquence, disclosed the purport of their commission in the following terms:—“BROTHERS! we have heard of the unhappy differences and great contention between you and OLD ENGLAND. We wonder greatly, and are troubled in our minds. Bro-

\* Vide General Washington's Letters, March 19, and April 18, 1776.



thers, possess your minds in peace respecting BOOK  
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us Indians. WE cannot intermeddle in this 1775.  
dispute between two brothers. The quarrel seems  
to us unnatural. You are two brothers of one  
blood; we bear an equal affection to both.  
Should the GREAT KING apply to us for aid,  
we shall deny him; if the colonies apply, we  
shall refuse. We Indians cannot find or re-  
collect in the traditions of our ancestors a case  
similar to this. Brothers, were it an alien that  
had struck you, we should look into the matter.  
We hope, through the wise government and good  
pleasure of GOD, your distresses may be soon  
removed, and the dark clouds be dispersed.  
Brothers, as we have declared for peace, we de-  
sire you will not apply to our Indian brethren for  
assistance. Let us Indians be all of one mind,  
and you white people settle your disputes be-  
twixt yourselves." Happy would it have been,  
had the Indian nations uniformly adhered to  
this wise policy, of which the assembly to whom  
this discourse was addressed declared their high  
and entire approbation. But many of the sa-  
vage tribes bordering on the great lakes and  
rivers were prevailed upon, by the solicitations  
and lavish presents of the British agents, to  
take up the hatchet in behalf of the GREAT  
KING. Colonel Johnson, son of the famous  
sir William Johnson, was most successful in



BOOK these direful negociations: and a great war-  
 XVI. feast was made by him on the occasion, in  
 1775. which, according to the horrid phraseology of  
 these barbarians, they were invited "to ban-  
 quet upon a Bostonian, and to drink his blood."



HISTORY  
OF  
GREAT BRITAIN.

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GEORGE III.

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*SECOND Resignation of the Duke of Grafton. Mr. Penn's Examination at the Bar of the House of Lords. Land-tax raised to 4s.—Remarkable Prediction thereon. Mr. Burke's Bill for quieting the Troubles in America. American Capture Act passed. Indulgences granted to the Province of Nova Scotia. Extravagant Overture made to Ireland. Mr. Fox's Motion of Inquiry. Treaties concluded with the Landgrave of Hesse, &c. Duke of Grafton's Conciliatory Motion. State of the Nation. State of Europe. Siege of Quebec raised. Unsuccessful Attack upon Charlestown. Declaration of American Independence. General Howe's Victory on Long-Island. General Washington retreats across the Delaware. Reverse of Fortune at Trenton. The Jerseys evacuated. Proceedings of the Congress. Session of Parliament—Memorable Speech of the King. Conciliatory Motion*



*of Lord John Cavendish. Secession of the Opposition. Suspension of the Habeas-Corpus Act. King's Debts a second Time paid, 618,000*l*. One hundred thousand Pounds per Annum added to the Civil List. Remarkable Address of the Speaker, Sir Fletcher Norton, to the King. Motion of Lord Chatham for Peace. Insolent Memorial of Sir Joseph Yorke to the States-General.*

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1775.

THE parliament of Great Britain, after a short recess, met at Westminster, October 26, 1775; and the session was opened by an unusually long and elaborate *oration* from the throne, containing charges against the colonies, the most wild and extravagant—accusing them of a *desperate conspiracy*, and of harbouring a premeditated design to effect a total revolt; whilst, taking advantage of the *moderation and forbearance* of parliament, they hoped to amuse by vague expressions of attachment to the parent state, and of loyalty to the sovereign. “This rebellious war,” it is affirmed, “is manifestly carried on for the purpose of establishing an independent empire; and it is now become the part of wisdom, and in its effects of clemency, to put a speedy end to these disorders by the most decisive exertions—for which purpose his majesty had greatly increased his military and naval establishments, and he had also received the most friendly offers of foreign assistance. When the unhappy and DELUDED MULTITUDE, against whom this great force will



be directed, shall become sensible of their error, he declared himself ready to receive the misled with tenderness and mercy; for which purpose he had given authority to certain persons upon the spot to grant general or particular pardons and indemnities, and to receive the submission of any province or colony which should be disposed to return to its allegiance." Upon the whole, this speech breathed a most inveterate and determined spirit of animosity against the colonies; and nothing less than absolute, unreserved, and unconditional submission was held out as the price by which peace was to be purchased.

During the summer recess of parliament, the duke of Grafton, lord privy seal, who had long viewed with extreme solicitude and concern the violent measures adopted by the majority of the ministers, but who had been induced in a certain degree to concur with and countenance these proceedings by the most positive assurances of a speedy and peaceable termination of the controversy, now perceiving a bloody and unnatural war in full prospect, determined no longer to take any share in the responsibility attached to his exalted station. But thinking it proper, previous to his resignation, to make one more effort to procure a change of system, this nobleman wrote in the month of August a letter to lord North, expressing "his loyal and grateful



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attachment to his majesty, and his zealous desire to see the government flourish under the administration of the noble lord to whom it was now entrusted;" at the same time stating his own clear and decided opinion, the result of much serious reflection, that some effectual means ought to be adopted for the purpose of terminating our present unfortunate differences with America. He remarked, "That the inclinations of the majority of persons of respectability and property in England differed in little else than words from the declarations of the congress—That if deputies from the *united colonies* CANNOT be acknowledged by the king, other expedients might be devised, by which the wishes and expectations of his majesty's American subjects might be stated and properly considered—That a *want of intercourse* had hitherto been, and must still remain, an insuperable bar to accommodation. He further observed, that the idea of a powerful party in America ready to avow their loyalty under the protection of a military force was now vanished. It is evident that, as the means of offence are increased, America has also in the same proportion increased her means of defence; that the event of such a struggle must be hopeless, disgraceful, and ruinous:" and he concluded a letter framed in the true spirit of wisdom and conciliation, and written,



to adopt the precise language of it, "at this critical and perilous juncture, by suggesting one mode at least by which intercourse and negotiation might commence, under a generous offer of a truce to the revolted colonies, sanctioned by the address of both houses to the king, on various motives of policy, affection, and humanity." To this letter a polite and respectful, though very unsatisfactory answer, was returned by lord North, upon the whole purporting that measures of coercion were unalterably determined upon.

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On the receipt of the congress petition, delivered to lord Dartmouth by Mr. Penn, the duke of Grafton again renewed his solicitations with the ministers for the adoption of a pacific system—but with no better effect. As the last resource, he then requested an audience of the KING, in which he stated to his majesty, without reserve, his reasons why he could no longer take any part in the administration of affairs. The king listened with attention, and condescendingly endeavoured to demonstrate to his grace, by calm and dispassionate reasoning, the justice, the policy, and necessity of this war, and the absolute certainty of ultimate success; and finding that he was unable to effect the conviction he wished, he flatteringly expressed his regret



BOOK at parting with so experienced and faithful a  
XVII. servant.

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On the usual motion in the house of lords for an address in answer to the speech from the throne, lord Rockingham in the most pointed terms condemned the measures recommended in it, as bearing the most portentous aspect to the British empire, and fraught with the most ruinous consequences. The charge against the colonies of aiming at independence his lordship severely reprehended, as totally unfounded: "but what," said his lordship, "they never originally intended we may certainly *drive* them to—they will undoubtedly prefer independence to slavery." The charge of making insidious professions of duty was equally reprobated. On the contrary, it was observed by his lordship, that they had from the beginning declared, in terms the most explicit, that they never would submit to be arbitrarily taxed by any body of men whatever. They did not WHISPER their complaints, but fairly told the world what they would do if urged to extremity. What, his lordship asked, was that *lenity of parliament* so much boasted of in the speech? Was it to be discovered in the Boston Port Bill? in the Fishery Bill? in the Massachusetts Charter Bill? or in the indemnity and encouragement held out to military license



in the bill which professes as its object the *impartial* administration of justice? Ministers, said his lordship, have been warned session after session of the danger in which they were involving themselves and the country; but the sources of information which ministers relied upon were the false, partial, illiberal representations of selfish, artful, and designing men, who had held public offices in America, and who by this means were glad to gratify at once their interest, their prejudices, and their revenge. His lordship concluded an excellent speech by moving an amendment to the address—"That, deeply impressed with the melancholy state of public concerns, they would on mature deliberation endeavour to apply the most effectual means of restoring order to the distracted affairs of the British empire, &c.

The duke of Grafton now rose to support the amendment, and in a particular manner attracted the attention of the house and of the public, by an open and ingenuous acknowledgment that he had by misinformation and misrepresentation been induced to give countenance to a plan the most abhorrent from his mind and opinion—being repeatedly assured that the mere appearance of coercion would suffice to establish a perfect reconciliation. His grace declared, that he could no longer hesitate as to the part he



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ought to take, being now fully convinced that nothing less than a total repeal of the American laws passed since the year 1763 could restore peace and happiness, or prevent those fatal consequences which he could not even think of without grief and horror. Such, he said, was the strength of his conviction, that no personal consideration whatever could induce him to refrain from giving his most determined opposition to the measures actually pursued, and to those which he understood were yet in contemplation. After a long and vehement debate the amendment of lord Rockingham was rejected by 69 voices to 29, and the original motion, on a second division, carried by 76 voices to 33. But the lords in the minority entered upon the journals a most spirited and vigorous protest against it. "We have beheld with sorrow and indignation," say their lordships, "freemen driven to resistance by acts of oppression and violence. We cannot consent to an address which may deceive his majesty and the public into a belief of the confidence of this house in the present ministry, who have disgraced parliament, deceived the nation, lost the colonies, and involved us in a civil war, against our clearest interests, and upon the most unjustifiable grounds, wantonly spilling the blood of thousands of our fellow-subjects."



On the resignation of the duke of Grafton, lord Dartmouth, whose mild temper was ill calculated to enforce the present bloody and coercive measures, was advanced to the dignity of lord privy-seal; and lord George Germaine, so famous, or rather infamous, under his former appellation of lord George Sackville, who, after a long course of opposition, had uniformly voted with the court on the questions relative to America, was appointed to the vacant post of secretary of state for the colonies. The most odious of tasks was now therefore properly assigned to the most odious of instruments. Lord Rochford also at this time choosing to retire from public business, viscount Weymouth was reinstated in the office of secretary for the southern department, resigned by his lordship in the year 1771. —The debate on the address in the house of commons was chiefly distinguished from that of the lords by the high offence which seemed to be taken by many of the country gentlemen, and some other members who usually voted with the administration, at that clause in the speech from the throne in which his majesty mentioned the introduction of a body of his electoral forces into the garrisons of Port Mahon and Gibraltar; and the corresponding clause in the address, thanking his majesty for the same. This was, not without reason, represented as a measure



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in the highest degree unconstitutional and dangerous; and the minister not seeming very willing to give any satisfaction on this head, many gentlemen left the house without voting. On the report, the opposition was renewed with fresh vigor; and a motion being now formally made by one of the country members for inserting in lieu of the obnoxious clause, the words, "And we will immediately take into our consideration the measure of introducing foreign troops into any part of the dominions of Great Britain without the previous consent of parliament;" the minister began to see the necessity of making some concession; and quitting the high but unsure ground of authority, he now declared, "that though he believed the measure to be right, as other gentlemen for whom he had the highest deference seemed to be of another opinion, he had no objection that the matter should be brought in a regular and parliamentary manner before the house, that its advisers might, if the necessity of the case required it, receive the benefit of an Act of Indemnity." This acknowledgment brought back the deserters to the ministerial standard, and the address finally passed by a great majority. In the sequel, a Bill of Indemnity was actually brought into the house of Commons, and passed with general approbation; but after great debate it was, little to



the satisfaction of the public, rejected by the lords.

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On the 10th of November 1775, the duke of Richmond moved for the examination of Mr. Penn at the bar of the house of lords; to which the peers in administration gave a very reluctant assent. In the course of this remarkable examination, it appeared that no questions had been asked of Mr. Penn, or any enquiry made by ministers, since his arrival in England, although he had been governor of the colony in which the congress held their session, and was held in universal esteem as a man of great candor, ability, and information. He declared his firm belief, "that the congress had hitherto entertained no designs of independency; that the members of that assembly were men of character, fairly elected, and fully competent to declare the sense of their constituents; that the different provinces would certainly be governed by their decisions; that the war was levied and carried on by the colonists, merely in defence of what they conceived to be their undoubted rights and liberties; that the spirit of resistance was general, and that they believed themselves able to defend their liberties against the arms of Great Britain; that the colonies had been greatly dissatisfied with the reception of their former petitions, but had formed great hopes on the success of that



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brought over by him, which was styled by them 'The Olive Branch,' and that he had been congratulated by his friends upon his being the bearer of it; that it was greatly to be feared, that, if conciliatory measures were not speedily pursued, they would form connections with foreign powers, and that such connections, once made, it would be found very difficult to dissolve. He affirmed, that the prevailing wish of America was restoration of friendship with England; but that the most intelligent men on the continent were of opinion, that a rejection of the present petition would prove an insuperable bar to reconciliation. He said, that the Americans were well satisfied with the repeal of the Stamp Act, notwithstanding the declaratory law which accompanied it; and if no innovations had been afterwards made, they would have remained content; that they would allow the imperial authority of Great Britain, but not its right of taxation." The examination being finished, the duke of Richmond moved, "That the petition from the continental congress to the king was ground for a conciliation of the unhappy differences subsisting between Great Britain and America." After a violent debate, the motion was negatived by 86 to 33 voices.

The minister having moved in the house of commons, that the land-tax for the year 1776



be four shillings in the pound, the country gentlemen were congratulated by the members in opposition on this additional taxation, as the first fruits of their darling scheme for the coercion of America; and it was predicted, that below the present level the land-tax would NEVER AGAIN BE REDUCED. The country members, irritated equally by the increase of the tax and the bitter sarcasms by which it was accompanied, and displeased also with the language now held by lord North, "that the contest was not for taxation but for sovereignty," declared through the medium of their leaders, that they had supported government in its plans of coercion, in the firm persuasion that their burthens would be eventually diminished by a great revenue to be drawn from America; but if the idea of a revenue were abandoned, they could not think of expending any more money in a contest attended with so many evils, and wholly unproductive of benefit; and they would therefore oppose the noble lord's motion for the increase of the land-tax. The minister, who was a great adept in the art of accommodation, and perfectly skilled in the science of government *within the walls of that house*, instantly perceived the necessity, as at other times and on other favourite points, of conciliating this occasionally obstinate and refractory class of members. He now therefore



BOOK assured them, “that the idea of taxation, and of  
XVII. levying a productive revenue from America, was  
1775. never abandoned; and that when any thing of  
that sort was affirmed, nothing more was meant  
than that it was dropped for the present; taxa-  
tion being a matter of secondary consideration  
only, when the supremacy of the country was  
at stake. He even declared, that no means ex-  
isted by which the legislative authority and com-  
mercial control of this country over the colonies  
could be insured, but by combining them with  
taxation.” This explanation giving much satis-  
faction, the motion was carried by a great major-  
ity; and thus were these credulous and honest  
gentlemen, the loyal and zealous DE COVER-  
LEYS, of the house, led to believe, that a war  
carried on at so enormous and incalculable an  
expence, was a war founded on the œconomical  
principle of reducing taxes and diminishing  
burdens\*; though it is remarkable, that the

\* The gross cullibility of the country gentlemen in every  
step relative to this business, taken in conjunction with the  
deceit and artifices practised upon them by the courtiers, and  
particularly the court lawyers, recalls to recollection the sar-  
casm of a merciless wit, who, on being informed that a cer-  
tain bill had been referred to a committee consisting of the  
gentlemen of the long robe and county members, remark-  
ed, “that this was the same thing as referring it to all the  
knaves and fools in the house.” At this period the celebrated



most sanguine ideas of Mr. Grenville himself never extended to the expectation of extorting a revenue from America equal in amount to the interest of the loan already wanting, and which it would be annually necessary, under increasing difficulties and disadvantages, to raise, in order to establish a claim which was now declared to be the object of the contest.

Hume, writing in confidence to a friend, thus expressed his sentiments on the subject of American politics.—Oct. 26, 1775. “I must, before we part, have a little stroke of politics with you, notwithstanding my resolution to the contrary. We hear that some of the ministers have proposed in council that both fleet and army be withdrawn from America, and these colonies be left entirely to themselves. I wish I had been a member of his majesty’s cabinet council, that I might have seconded this opinion, I should have said that this measure only anticipated the necessary course of events a few years—that a forced and every day more precarious monopoly of about 6 or 700,000*l.* a year of manufactures was not worth contending for; that we should preserve the greatest part of this trade even if the ports of America were open to all nations; that it was very likely in our method of proceeding, that we should be disappointed in our scheme of conquering the colonies; and that we ought to think before-hand how we were to govern them after they were conquered. Arbitrary power can extend its oppressive arm to the antipodes; but a limited government can never long be upheld at a distance, even where no disgusts have intervened, much less where such violent animosities have taken place. We must therefore annul all the charters, abolish every democratic power in every colony, repeal the Habeas-Corpus Act with regard to



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In the course of this month (November 15th, 1775,) a series of motions made in the upper house by the duke of Grafton, for estimates to be laid before the house respecting the state of the army in America, and the addition of force necessary for the service of the ensuing campaign, were negatived without a division. Parliament was left to wander in darkness and uncertainty, on pretence of the danger of giving any information that might reach the enemy. On the day succeeding this rejection, Mr. Burke moved for leave to bring in a bill “for quieting the present troubles in America,” which was professedly founded on the famous statute passed in the 35th year of Edward I. known by the name of *Statutum de tallagio non concedendo*. He justly observed, “that sovereignty was not in its nature an idea of absolute unity, but was capable of great

them, invest every governor with full discretionary or arbitrary powers, confiscate the estates of all the chief planters, and hang three-fourths of their clergy. To execute such acts of destructive violence 20,000 men will not be sufficient, nor 30,000 to maintain them in so wide or disjointed a territory. And who are to pay so great an army? The colonists cannot at any time; much less after reducing them to such a state of desolation:—we ought not, and indeed cannot, in the overloaded and totally ruined state of our finances. Let us therefore lay aside all anger, shake hands, and part friends; or, if we retain any anger, let it be only against ourselves for our past folly.”



complexity and infinite modifications, according to the temper of those who are to be governed, and to the circumstances of things; which being infinitely diversified, government ought to be adapted to them, and to conform itself to their nature, instead of vainly endeavouring to force that to a contrary bias. Circumstances, not in our power to alter or control, made concession on the subject of taxation indispensably essential to the attainment of peace.

He observed, that there were three plans afloat for putting an end to the present troubles. The 1st, simple war, in order to a perfect conquest. The 2d, a mixture of war and treaty. And the 3d, peace grounded on concession. Having demonstrated by cogent arguments the inefficacy of the two former systems, he stated the necessity of concession; and he farther maintained, that this necessity being admitted, should be immediately adopted, and appear a mere act of their own free grace. The first ground of treaty must be confidence. All confidence in government on the part of the Americans had been destroyed by the measures pursued during the last ten years. This confidence could only be restored by the interposition of parliament, coming in as an aid and security for government, and tracing out a firm foundation on which to establish a solid and lasting peace.



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He stated the reasons which induced him to make the statute *de tallagio* 35 Edward I. the pattern for his bill. The ancient disputes between the kings and the people of England were, he observed, extremely analogous to those now subsisting between the parliament and the natives of America. The claim of sovereignty was the same in both instances, and the evils which were effectually removed by the statute *de tallagio* corresponded exactly with those which the present bill was intended to remedy. Thus they had happily a precedent of the first authority, to afford a clue for their conduct. Our kings were formerly in the practice of levying taxes upon the people by their own authority, and it was held to be an indefeasible right, and inseparable prerogative of the crown. Yet one of the greatest and wisest of our monarchs by an express and positive act cut off from the sovereign power this right of taxing. This statute had been the foundation of the liberty and happiness of England from that time. Yet it was absolutely silent about the right, and confined itself to giving satisfaction in future. It laid down no principles which might tend to affect the royal prerogative in other particulars; but, on the contrary, its tendency was to preserve the other branches of the prerogative by the clear and unreserved surrender of



this obnoxious power. He showed the conformity of his own bill to the spirit of that act; and though the circumstances were not in every respect parallel, they were sufficiently so to justify his following an example that gave satisfaction and security on the subject of *taxation*, and left all other rights and powers whatsoever, exactly upon the bottom on which they had stood before that arrangement had taken place upon the whole. The great object of the present bill, he said, was a renunciation of the exercise of taxation, without at all interfering with the question of right; it preserved the power of levying duties for the regulation of commerce; but the money so raised (agreeably to an excellent idea suggested by the conciliatory motion of lord North) was to be at the disposal of the several general assemblies. The tea duty of 1767 was to be repealed, and a general amnesty granted." This was a wise, simple, and rational plan of conciliation; and it met with a less unfavourable reception from the house than any hitherto attempted; but on a division upon the previous question, the numbers were 210 against 105 who voted in support of the original motion.

In a few days after this the minister brought in his famous Prohibitory Bill, interdicting all trade and intercourse with the Thirteen United



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Colonies. By this bill, all property of Americans, whether of ships or goods, on the high seas or in harbour, is declared forfeited to the captors; so that it amounted in fact to an absolute declaration of war. This, the opposition justly affirmed, was cutting off at the root all hope of future accommodation; and they pronounced it to be a formal ACT of AEDICATION of our government over the colonies; it drove the two countries to the fatal extremity of absolute conquest on the one side, or absolute independency on the other. The offers of pardon, by which the bill was accompanied, were said to be ridiculous when offered to men who acknowledged no crime, and who are conscious not of doing, but merely of suffering, wrong. The repeal of the Boston Port, Fishery, and Restraining Acts, being included in this bill, as entirely superseded by the operation of it, Mr. Fox moved an amendment, to leave out the whole title and body of the bill excepting the parts relative to such repeal. This produced a warm debate, which continued till midnight, when the amendment was rejected by a majority of 192 to 64 voices.

In the house of lords the bill was again combated on every ground of policy, humanity, and justice. Lord Mansfield in the course of the debate remarked, "that we had passed the RUBI-



CON, and were not now *at liberty* to consider the questions of original right or wrong, justice or injustice. We were engaged in a war, and we must use our utmost efforts to obtain the ends proposed by it; quoting in illustration the laconic speech of a gallant officer serving in the army of Gustavus Adolphus, who, pointing to the enemy, said to his men, "See you those lads! KILL them, or they will kill you." The same sentiment his lordship affirmed to be applicable to the present case. If we do not get the better of America, America will get the better of us.—Are we to stand idle because we are told this is an unjust war, and wait till they have brought their arms to our very doors? The justice of the cause must give way to our present situation. Such were the abominable arguments now used to reconcile the minds of men to this unjust, cruel, and bloody war, by venerable and learned sages wearing the robes and holding the balance of justice. No speech in or out of parliament is supposed to have operated more extensively on the irritated minds of the colonists than this. The great abilities and profound legal knowledge of lord Mansfield were both known and admired in America. That this illustrious oracle of law should declare from the seat of legislation that the justice of the cause was no longer to be regarded, excited the astonishment.

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BOOK and cemented the union of the Colonists \*.  
XVII. After much objection and opposition the bill  
1775. finally passed the house without a division.

The only notice taken of the conciliatory proposition of the minister was by the assembly of NOVA SCOTIA, which had transmitted a petition to parliament, presented to the house on the first day of the session, by the speaker, founded on the basis of that proposition; and it was now moved by lord North, that the proposal of a poundage duty *ad valorem* upon all commodities imported, not being the produce of the British dominions in Europe or America, to be disposed of by parliament, should be accepted, and the duty fixed at eight per cent. in lieu of all other taxes; and in reward of this dutiful overture, the Act of Navigation itself was in part dispensed with in their favor, and they were allowed to import ORANGES and LEMONS, and some other articles of equal importance, directly from the place of their growth and produce. But as this barren province was notoriously unequal to the support of its own civil government, the offer of a revenue seemed to carry with it so ludicrous an appearance, that no bill was ever in the sequel brought forward in consequence of the resolutions now passed.

\* Ramsay's History of the American War.



A very extraordinary proposition had been recently made by the earl of Harcourt, lord lieutenant of Ireland, to the parliament of that kingdom, on the part of his majesty, who had pledged his royal word, that twelve thousand regular troops on that establishment should always remain stationary in that country ; requesting four thousand of the said troops to be employed in the service of Great Britain, and engaging that Ireland should be relieved from the expence of the same ; and ALSO, that the said troops should be replaced, if desired, by four thousand foreign protestant troops, to be *likewise paid by Great Britain*. Soon after the Christmas recess, a motion was made in the English house of commons, by Mr. Thomas Townshend, “ that the earl of Harcourt was herein chargeable with a breach of privilege, and had acted in derogation of the authority of that house, and that a committee be appointed to enquire into the same.” It was urged, “ that it was the highest presumption in the lord lieutenant of Ireland to engage for the payment of any specific sums by the parliament of Great Britain ; and much worse to pledge the parliament to the fulfilment of a contract so absurd and extravagant as to defray the expence of eight thousand men for the service of four thousand ; and the design of introducing foreign troops into Ireland was represented as



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fraught with danger and mischief." The minister appeared not a little embarrassed on this occasion; and contented himself with saying, "that he was in no shape responsible for the conduct or actions of the lord lieutenant of Ireland; and he disavowed any knowledge of the specific instructions under which this requisition had been made. He allowed that the bargain appeared improvident, but it might be defended on the ground of necessity; and if it were allowed to be more eligible to employ native troops than foreigners in America, it would be a sufficient justification of the latter part of the proposition." Mr. Jenkinson, however, and others of *the king's friends*, who took part in the debate, assumed a much higher tone, and insisted upon his majesty's RIGHT of introducing foreign forces into any part of his dominions, when the exigencies of the state rendered it expedient or necessary. Mr. Jenkinson asserted, "that the message was worded in a manner perfectly agreeable to official usage, and that the measure was in exact conformity with, or more properly constituted a part of, that antient and acknowledged prerogative, by which the crown raised troops of its own will, and then applied to parliament for the payment, or entered into treaties for the same purpose with foreign princes, and pledged the national faith for a due performance of the articles." That part



of the motion which went to the appointment of a committee of enquiry was negatived by 224 to 106 voices, and the previous question put on the clause of censure, which was carried without a division.

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Not discouraged by the ill success of former attempts, Mr. Fox, on the 20th February 1776, moved, "That it be referred to a committee, to enquire into the ill success of his majesty's arms in America." The vigor and comprehension of mind, the determined resolution, the open and magnanimous disposition of this senator, mature in judgment, though immature in years—excited hopes and expectations of eventual advantage to his country, which the malignant genius of Britain has hitherto delighted to disappoint. "Declining," he said, "at present to enter into the developement of a system whose principles and complexion afforded the clearest and most unequivocal proofs that its ultimate design was the TOTAL DESTRUCTION of the CONSTITUTION, he grounded his motion on the acknowledged fact, that there had been somewhere gross ignorance, incapacity, or negligence. This must be imputed either to our ministers at home, or our commanders abroad: and it was absolutely necessary that the house should be fully informed on the subject, in order that a remedy might be applied to the evil before the nation fell a vic-



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tim to the treachery or misconduct of men on the one hand as unfit to deliberate and determine, as on the other to carry the measures so determined into execution. Public justice demanded such an enquiry. None but the guilty could wish to evade it. Our commanders by sea and land ought not to suffer the disgrace attached to ill success, in order to hide or palliate the blunders, the follies, the shameful and wretched inability of others." The administration appeared much chagrined and mortified at this exposure of their weakness. It was acknowledged "that ill success had hitherto attended the operations of the war, but that more vigorous measures would now be pursued; that a change of the former *lenient system* had been announced from the throne; and it would be highly disrespectful and improper to enter into the examinations proposed, until the measures now resolved upon were tried and the event known." The previous question being put at three o'clock in the morning, the motion was rejected by a majority of 240 to 104.

The treaties recently entered into by his majesty with the landgrave of Hesse, the duke of Brunswick, &c. for hiring large bodies of their troops for the American service, amounting to about eighteen thousand men, having been laid before the house, and a motion made by the mi-



nister for referring them to a committee of supply, a vehement debate ensued. "Great Britain," it was said, "was now disgraced in the eyes of all Europe—She was to be impoverished, and, what was still worse, degraded by an humiliating application to the petty princes of Germany for succours to enable her to subdue her own subjects. Such also were the extravagant terms on which these troops were obtained, that the use of 18,000 mercenaries would not, taking in all contingencies, cost the nation less than one million and a half sterling. There were no limits to the extortion of these princely butchers, who sold their subjects like so many beasts for the slaughter. They were to have levy-money; they were to have a double subsidy; their corps were to be kept up complete; they were to be paid till the troops returned to their respective countries, and the subsidies were to be continued two years after the performance of the service." In answer to these objections, the ministers alleged, that the terms were more reasonable, considering the distance and other disagreeable circumstances attending this novel service, than could be expected; that had they been still higher, necessity would have justified compliance. It was intimated, that so great a force would be employed, that these troops would have little more to do than to shew themselves in America and return :

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BOOK that there was every reason to believe that the  
XVII. war would be terminated in a single campaign,  
1775. in which case the terms would be found very advantageous : if indeed it should be protracted to a distant period, it was allowed that the expence would be enormous, but this was so improbable as to merit little consideration. The question was carried by the force of these reasonings in favor of the court, by a majority of 242 to 88 voices.—The same question was discussed with equal warmth in the house of peers, in consequence of a motion of the duke of Richmond for an address to the king, “That his majesty would be pleased to countermand the march of these troops ;” and the duke of Cumberland, who had for some time past, as well as the duke of Gloucester, voted in the minority, “lamented that Brunswickers, once the advocates of liberty in Europe, should now be sent to subjugate it in America.” The division was in this house no less in favor of the ministers than in that of the commons ; the numbers, on putting the question, being 100 to 32. On a demand unexpectedly made by the secretary of war for the sum of 845,000*l.* for army extraordinaries, all the ardor of the opposition revived. They demonstrated, by a reference to the journals, that neither the glorious campaign of 1704, which saved the German empire, nor that of 1760, which was



crowned by the conquest of Canada, had in any degree equalled the expence of the disgraceful campaign of the last year. Schellenburg and Blenheim were opposed to Lexington and Bunker's Hill ; and the river Mystic ludicrously contrasted with the Rhine and the Danube. The ministers, apparently overwhelmed with a torrent of wit, argument, and invective, relied on this occasion much more securely on the strength of their numbers than their cause ; and the question, on a division, was carried by a majority of 180 to 57.

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On the 14th of March, 1776, a very important motion was made by the duke of Grafton, "for an address to the king, that, in order to prevent the further effusion of blood, a proclamation might be issued, declaring, that if the colonies shall present a petition to the commissioners appointed under the late act, setting forth what they consider to be their just rights and real grievances, that in such a case his majesty will consent to a suspension of arms ; and that assurance shall be given them, that their petition shall be received, considered, and answered." This motion was designed and wisely calculated to supply the palpable deficiency of the late commission, which empowered the commissioners merely to grant pardons on submission, holding out by these means a mere delusive show of peace, with-



BOOK out furnishing the means indispensable to its at-  
XVII. tainment. The noble mover observed, “ that  
1775. the adoption of the present motion, or of some-  
thing equivalent to it, exclusive of the evident  
reasonableness of the thing, seemed to be ren-  
dered at this time absolutely necessary by two  
circumstances, to which his grace particularly  
called the attention of the house. The first was  
the doctrine of UNCONDITIONAL SUBMISSION,  
so much insisted upon in the other house by the  
noble lord at the head of the American depart-  
ment. It was the object of the present motion  
to disarm the Americans of the rage and horror  
which this doctrine had excited in their minds ;  
and to inculcate the idea that there were terms  
and conditions implying mutual concessions, on  
which a satisfactory and permanent accommo-  
dation might be founded, and their constitutional  
rights secured. The second circumstance to  
which the noble mover alluded, was the certain  
intelligence which his grace had himself re-  
ceived, that two French gentlemen, charged, as  
there was good reason to believe, with a com-  
mission of high and momentous import, had  
lately been introduced by general Washington  
to the congress, with whom conferences had  
been actually commenced. Thus a direct inter-  
ference on the part of foreign powers in our civil  
contentions had undoubtedly taken place, and



from a most dangerous and hostile quarter. No time was therefore to be lost to counteract its effects, and upon the decision of the present moment the fate of the empire depended."

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In vain were the powers of reason and eloquence exhausted in support of this motion. The spirit of infatuation and delusion seemed to have attained to its *acmé*. The lords in administration openly avowed and vindicated the doctrine of *unconditional submission*. They asserted, "that the power of granting pardons *with proper exceptions* was competent to every just and requisite purpose; they asserted the impossibility of an effectual assistance on the part of America; they declared their utter disregard and disbelief of any interference on the part of France, or any other foreign power, which, possessing colonies of its own, could never be so devoid of policy as to encourage the spirit of revolt in those of another nation;"—not in the least sensible that the whole tenor of their own conduct afforded the most striking proof how infinitely motives of pride, passion, and revenge, predominate in the heart of man and the councils of princes, over those of reason, policy, and discretion. After a debate, continued to a very late hour, the motion was rejected by 91 voices to 31; and from this moment all rational hope of conciliation vanished. What had been



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hitherto perfectly easy and feasible, now became, by a change of circumstances, desperate and hopeless ; and on hearing the decision of this memorable day, it might with fatal prophetic certainty be pronounced, "TIME IS PAST."

This was the last debate of importance in the present session, which was terminated May 23, 1776, by a speech, in which his majesty was graciously pleased to intimate "his hope, that his *rebellious subjects* would still be awakened to a sense of their errors ; at the same time expressing his confidence, that if due, i. e. *unconditional*, submission could not be obtained by a voluntary return to their duty, it would be effectuated by a full exertion of the great force entrusted to him." WAR, in its most hideous form, was now therefore waged, without any prospect or probability of accommodation. But though the ministerial majorities in both houses were so great, the nation at large might be considered as much more equally divided on this grand question. At the head of those who were zealous for the prosecution of the war in all its terrors may be accounted the KING himself, who, being most unfortunately and dreadfully misinformed and misled in the whole of this business, conceived that the DIGNITY of his CROWN was best vindicated by those measures of coercion which could be carried into effect only by the



devastation of his dominions and the slaughter of his subjects \*. The powerful remains of the once numerous and now favored faction of the tories, including a large proportion of the landed interest, recently combined by a strange

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\* MACHIAVEL (whose famous treatise *Del Principe* is by many supposed to be designed, as it is unquestionably calculated, to hold up the character of a prince who makes his own aggrandizement the sole object of his government, to the detestation of mankind, and whose other political writings are unequivocally favorable to the cause of liberty,) thus in his History of Florence represents the Florentines expostulating by the mouth of an antient and venerable citizen with one of their sovereigns: "We are come, sir, in consequence of the order you have issued for assembling the people. It appears manifest to us, that you design by extraordinary means to obtain that which we have not been willing to grant to you. Your design is to enslave a state which has never yet lost its freedom. Have you well considered the importance which, in a state like this, the people annex to liberty, and how enthusiastically they are attached to its very name? This ardent love of freedom no force can overcome, no length of time can obliterate, no merit on the part of its destroyer can counter-balance. Consider the immense force which will be necessary to keep such a state enslaved.—You must calculate on having all the inhabitants of the country your enemies. If your opponents were few in number, you might extirpate them by banishment and the sword; but against universal hatred there can be found no remedy. It is now for you to decide, whether you will attempt to enslave this people—to keep them enslaved will be impossible; no citadel, no guards, no foreign force will be sufficient—or be content with the authority which we have



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political phænomenon with the veteran and faithful band of placemen, pensioners, and *king's friends*; and, in a word, all whose fortunes or expectancies depended on the smiles of the court, were to a man eager and ardent in their

voluntarily entrusted to you. This we sincerely wish both for our sakes and your own. For once again remember, that no dominion is durable which rests on any other foundation than the free and willing submission of the people." The history informs us, that the prince to whom this discourse was addressed, obstinately persisting in his wild and nefarious projects, was in a short time compelled to fly from Florence, and to seek for safety in an obscure and ignominious exile. *Delle Historie*, lib. ii. p. 106.—"There is," says the same celebrated writer, in the treatise *Del Principe*, cap. v. "no method of keeping possession of a conquered country so effectual as to impoverish or ruin it. Whoever becomes master of a state accustomed to freedom, unless he adopt this method, may expect soon to be driven out of it. For the name of liberty and their antient laws will be the unceasing incitement to rebellion.—There will be an eternal hatred, an eternal thirst for revenge, an eternal stimulus in the memory of their antient freedom; so that the most sure method of keeping them in subjection is to destroy or dissipate them." What Machiavel thus ironically and in the spirit of the most bitter and indignant sarcasm recommends, the English court at this period seemed, in the excess of a wretched and almost judicial infatuation, seriously to adopt as the rule and measure of its dismal and barbarous policy. "Est quod gratias agamus Machiavello," says lord Bacon, "et hujusmodi scriptoribus, qui apertè et indissimulanter proferunt quid homines facere soleant, non quid debeant." *De Augm. Scient.* l. vii. c. 2.



hopes and wishes to see America prostrate at his majesty's feet. A great majority of the clergy of the established church also entered into the views of the court, to which they were now cordially reconciled, with a degree of political fervor, heightened, as to many of them, into inexpressible malevolence against the colonies by the indelible taint of religious bigotry. The Americans were perpetually branded by this class of men, as fanatics, hypocrites, puritans, or, in one word, as SECTARIES—a term which in the ears of an high churchman of the genuine stamp is far more hateful than that of infidel or atheist. The spirit of *high-churchism*, which is a compound essence exhaled from the ingredients of pride, ignorance, malice, prejudice and folly, has, during this reign, been in a regular and progressive state of increase; and as the same causes which have operated still continue to operate, it is probable that, until some violent convulsion is produced by a new Laudian or Sheldonian persecution, the tide will continue to flow in the same channel and direction. Exclusive of these different classes of men, it must also be acknowledged, that a considerable number of respectable persons, who valued themselves, however inconsistently, upon their attachment to *whig principles*, joined the party of the court from a most erroneous idea, that the principles



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of *whiggism* inculcated the doctrine of the OMNIPOTENCE of PARLIAMENT; not considering that the essential and immutable difference subsisting in the relative situations of Great Britain and America made that doctrine, which, in opposition to the arbitrary power of the crown, was considered as the basis of liberty in England, the essence of tyranny to the colonies; and the unrestrained power of taxation in particular was on several accounts more likely to be abused by a popular assembly, in its exercise over a distant community, than by an absolute monarch.

On the other hand, the great body of the whigs, headed by various families of the highest rank, to whom power had been chiefly entrusted since the æra of the revolution till the accession of the present sovereign, held the war in abhorrence and detestation; and they conceived resistance to be equally justifiable to the tyranny of the many as of the few, or the mere will of a despot. The commercial part of the community, with the city of London conspicuous in the van, were for the most part extremely averse to the war, from which they experienced great inconvenience; and which, unfettered by the entanglements of political theories, they perceived by the clear light of common sense to have no rational end or object. A considerable



proportion of the clergy, men candid, impartial, intelligent, and truly attached to the principles of civil and religious liberty, joined in lamenting this disastrous and fatal quarrel \*. The whole body of dissenters, and sectaries of all denominations, threw the entire weight of their numbers and influence into the same scale: many of these employed their pens ably and eloquently in the cause of America; amongst whom by far the most distinguished was the celebrated Dr. Richard Price, a dissenting minister

\* Among the liberal and enlightened sons of the established church, Dr. Watson, regius professor of divinity in the university of Cambridge, now bishop of Landaff, gained great and deserved applause by a fast sermon preached during the heat of this horrid contention before the university. "It is," as he declares, "the infelicity of party to transgress the bounds of charity, decency, and good sense.—Truth however is of no party; and surely there is truth in saying, that the empire is brought into a calamitous situation, that she now stands tottering on the very verge of ruin, affrighted and amazed. Unhappy Britain, how art thou fallen! From being the queen of isles thou art become the derision of nations! You may *force* large bodies of men to continue members of your civil community by the fear of the mischief which you may do them if they should attempt to quit your connection; but this is an impolitic and unchristian yoke of civil union, imposed by tyrants, and submitted to by none but slaves—or you may induce them to it by the superior equity and wisdom of your scheme of government, by making it their interest to be united to you. An union which has fear for its basis



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of extraordinary learning and talents, who had recently written with profound skill on the subject of the national finances, and the powers of the sinking fund; the restoration of which he urged with great energy and ultimate success, although his ideas on the subject were long treated as altogether chimerical. On the present occasion he published "OBSERVATIONS on the Justice and Policy of the WAR with AMERICA," which had a rapid and prodigious sale, and pro-

must be subverted as soon as the occasion of fear can be removed. But an union cemented by a participation of equal laws, rights, and immunities, will not be broken in the day of trial. Blessings upon the head of that man who can yet devise the means of bringing back to their allegiance three millions of our trans-atlantic brethren!—not of dragging of them to the foot of the throne (that is the language of tyranny and passion), but of binding them to it in the cords of love—not of bringing them back upon the impolitic principle of "unconditional submission," (that is treating the defection of half a mighty empire like the insurrection of a paltry district,) but of re-uniting them to this kingdom upon the broad basis of sincere good will, commercial interest, and constitutional freedom!—RULER of NATIONS! if in thy judgment we are engaged with our brethren in an unrighteous cause, we should think it an impious mockery to supplicate thy protection. We ask instruction—beseeching thee to illumine the understanding of our rulers with the knowledge of what is right, and to influence their hearts, that knowing they may do it. Thou hast broken the pride of our power; we accept the punishment of our iniquity."



duced an incredible number of replies; for to  
reply was easy, though to confute impossible. BOOK  
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“IN a FREE STATE,” says this admirable writer, 1776.  
“all the springs of action have room to operate,  
and the mind is stimulated to the noblest exer-  
tions. The subjects of free states have in all  
ages been most distinguished for genius and  
knowledge. With what lustre do the antient  
free states of Greece shine in the annals of the  
world! How different is that country now under  
the Great Turk! The difference between a  
country inhabited by MEN and by BRUTES is  
not greater. These are reflections which should  
be constantly present to every mind in this coun-  
try. There is nothing that requires more to be  
watched than power; there is nothing that  
ought to be opposed with more determined reso-  
lution than its encroachments. Sleep in a state,  
as Montesquieu says, is always followed by sla-  
very. In governing distant provinces, and ad-  
justing the clashing interests of different societies,  
it is particularly necessary to make a sparing use  
of power in order to preserve power. Happy  
would it have been for Great Britain had this  
been remembered by those who have lately con-  
ducted its affairs. But our policy has been of  
another kind. By a progression of violent mea-  
sures, every one of which has increased distress,  
we have given the world reason to conclude,



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that we know no other mode of governing than by force. But our rulers should have considered that freemen will always revolt at the sight of a naked sword, and that the complicated affairs of a great kingdom holding in subordination to it a multitude of distant communities, all jealous of their rights, and warmed with spirits as high as our own, require not only the most skilful but the most cautious and tender management. The consequence of a different management we are now feeling. We see ourselves driven among rocks, and in danger of being lost: pride and the love of dominion are principles hateful enough, but blind resentment and the desire of revenge are infernal principles. One cannot help indeed being astonished at the virulence with which some speak, on the present occasion, of the colonies—For, what have they done? Have they crossed the ocean and invaded us? Have they attempted to take from us the fruits of our labor, and to overturn that form of government which we hold so sacred? On the contrary, this is what we have done to them. We have transported ourselves to their peaceful retreats, and employed our fleets and armies to stop up their ports, to destroy their commerce, and to burn their towns;—and yet it is we who imagine ourselves ill-used. Had we never deserted our old ground; had we nourished and



favoured America with a view to commerce, instead of considering it as a country to be governed; had we, like a liberal and wise people, rejoiced to see a multitude of free states branching forth from ourselves, all enjoying independent legislatures similar to our own; had we aimed at binding them to us only by the ties of affection and interest, and contented ourselves with a moderate power rendered durable by being lenient and friendly, an umpire in their differences, an aid to them in improving their own free governments, and their common bulwark against the assaults of foreign enemies: had this been our policy and temper, there is nothing so great or happy that we might not have expected. Instead of this, how have we acted?—It is in truth too evident, that our whole conduct has been nothing, to say the best of it, but a series of the blindest rigour followed by retraction—of violence followed by concession—of mistake, weakness, and inconsistency. Did ever Heaven punish the vices of a people more severely by darkening their councils? In the Netherlands, a few states, similarly circumstanced with those of America, withstood for 30 years the whole force of the Spanish monarchy when at its zenith, and at last humbled its pride, and emancipated itself from its tyranny. The citizens of Syracuse, also thus circumstanced,



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withstood the whole power of the Athenians.

The same happened in the contest between the house of Austria and the cantons of Switzerland. There is an infinite difference between fighting to destroy and fighting to preserve liberty. Were we therefore capable of employing a force against America equal to its own, there would be little probability of success; but to think of conquering that whole continent with thirty or forty thousand men, to be transported across the Atlantic, and fed from hence, and incapable of being recruited after any defeat,—*this* is indeed a folly so great, that language does not afford a name for it. Perhaps I am not in the present instance free from the weakness of superstition, but I fancy I see in these measures something that cannot be accounted for merely by human ignorance. I am inclined to think that the hand of Providence is in them, working to bring about some great ends. But suppose the attempt to subjugate America successful, would it not be a fatal preparative for subduing yourselves? Would not the disposal of American places, and the distribution of an American revenue, render that influence of the crown irresistible which has already stabbed your liberties? Turn your eyes to INDIA: there, more has been done than is now attempted in America: there, Englishmen, actuated by the love of plunder and the spirit of



conquest, have depopulated whole kingdoms, and ruined millions of innocent people by the most infamous oppression and rapacity. The justice of the nation has slept over these enormities. Will the JUSTICE of HEAVEN sleep? ARE WE NOT NOW EXECRATED ON BOTH SIDES OF THE GLOBE?"—For this publication the writer was deservedly honored with the thanks of the city of London, and the freedom of that metropolis was presented to him in a gold box, by an unanimous vote of the corporate body.

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During the pause of anxious suspense preceding the commencement of the memorable campaign of 1776 in America, it will not be improper to take a general review of the state of Europe for some years past, and of its actual situation; his majesty having in his late speech asserted, that the disposition of the several powers of the continent promised a continuance of the general tranquillity.

FRANCE, in an historic sketch of this kind, must necessarily occupy the fore-ground of the picture. The death of Louis XV. who, for the long term of nine-and-fifty years, reigned with absolute and arbitrary sway over that vast monarchy, had taken place nearly at the commencement of the present troubles (May 10th, 1774). He was succeeded by his grandson Louis the Dauphin, who had scarcely as yet attained the



BOOK twentieth year of his age. This young prince  
XVII. had in the year 1770 married the arch-duchess  
1775. Marie Antoinette, daughter of the empress-  
queen—a princess endowed with all the fasci-  
nating graces of her sex ; by which apparently  
auspicious alliance, according to the short-sighted  
views of human policy, the peace of Europe, so  
often disturbed by the contentions of the rival  
houses of Bourbon and Austria, seemed to be  
firmly cemented and secured. A great acqui-  
sition of revenue and territory had recently accru-  
ed to France by the death of Stanislaus, king of  
Poland (February 1766), in a far advanced age ;  
in consequence of which event, the duchies of  
Lorraine and Bar, possessed by that monarch in  
full property during his life, reverted to France,  
agreeable to the treaty concluded A. D. 1736,  
with the court of Vienna, under the fortunate  
auspices of cardinal Fleury.

The latter years of the life of the late king of  
France were passed in a series of political conflicts  
with the several parliaments of that kingdom,  
particularly the parliament of Paris ; which high  
and august tribunal still retained (by means of its  
constitutional privilege of enregistering the royal  
edicts, without which they had no legal validity,)  
some degree of control over the actions of the  
monarch. And this relic of their antient inde-  
pendency, by which alone the sacred fire of li-



berty could be discerned to exist in France, the parliament appeared with reason to guard with the most vigilant jealousy. An edict having been issued in the royal name, by which new and extraordinary powers were transferred to the great council, incompatible with the established rights of the parliaments of the kingdom, remonstrances were presented to the king from most of those bodies; and in that offered by the parliament of Paris (May 19, 1768,) is the following remarkable passage:—"Your parliament, sire, is not afraid on this head to remind your majesty of the ever memorable words which the first president Harley addressed to Henry III. in 1586: 'Sire,' said the magistrate, 'we have two sorts of laws:—one sort are the ordonnances of our kings, and these may be altered according to the differences of times and circumstances; the other sort are the ordonnances of the kingdom, which are inviolable, and by which you ascend to the throne and to the crown, which your predecessors preserved. Among these public laws, that is of the most sacred kind, and has been most religiously kept by your predecessors, which orders that no law or ordonnance shall be published but what is verified in this assembly—They thought a violation of this law was a violation of that by which they were made kings.'"

It was afterwards proposed, at an extraordi-



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nary session, to state to the king that the existence of the grand council itself was a grievance. This however was negatived, the duc de Choiseul and the princes of the blood attending in person to oppose the motion, by a majority of two voices; and the parliament contented itself with presenting another memorial to the king, shewing the necessity of ascertaining the limits of its jurisdiction, and securing the parliament against its encroachments by a clear and positive law. But the parliament of Toulouse, less moderate, issued an arret by which all persons were forbidden, under severe penalties, to conform to or execute any judgment of the grand council within the province of Languedoc.

Scarcely had the ferments excited by this obnoxious procedure of the court in any degree subsided, when a new and far more serious contest arose in consequence of the memorable prosecution commenced in the parliament of Paris against the duc d'Aiguillon, governor of the province of Bretagne, for high crimes and misdemeanors in the administration of his government. While the nation was waiting in anxious suspense the result of this trial, which had already disclosed a scene of cruelty and injustice scarcely to be paralleled, the king thought proper to hold a *bed of justice*, in which he commanded an edict to be enregistered, suppressing the charges



brought against this nobleman, and prohibiting any farther proceedings against him. The parliament of Paris, on re-assembling, issued an arrêt, by which the duke was forbidden to take his seat in parliament, or to exercise any of the functions of the peerage, till a legal acquittal had taken place. This arrêt was annulled by a decree of the king in council, declaring it to be an infringement of the royal authority.

The parliament notwithstanding, by a solemn act, confirmed their former resolution; and strong representations were made to the king by the different *chambers*, particularly by that of the peers and princes of the blood, against his proceedings, as subversive of all law, justice, and equity. The provincial parliaments also passed arrêts in approbation and confirmation of that of Paris, and the duchy of Aiguillon was sequestered till the trial of the duke should be legally terminated. At length the king in person, attended by his guards, entered without any previous notice the parliament house, and, after reproaching the members in the severest terms, ordered all the judicial acts against the duc d'Aiguillon to be erased from their registers; and, in menacing language, prohibited all revival of the proceedings against him. The parliament nevertheless, unintimidated, issued at their next meeting another arrêt, in which they declare, that the many acts of arbi-



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trary power exercised both against the spirit and letter of the constitution of the French monarchy, and the solemn oath of the king, leave no room to doubt of a premeditated design to change the form of government. The dispute continued with increasing violence to the following year. The king having caused by force an edict to be enregistered, by which the indispensable obligation of the sovereign courts of justice to enregister the royal edicts, even in opposition to their own sentiments and remonstrances, were explicitly declared, the parliament entered a solemn protest against the same, as contrary to the laws they had sworn to defend, and resolved upon a total suspension of the functions of the courts.

The mandate of the king to revoke this decree being peremptorily rejected, the members of the parliament were, in the night of the 19th of January 1771, severally arrested by virtue of *lettres de cachet*, and a new tribunal was erected in the room of the exiled parliament, composed of men entirely devoted to the court. Scarcely had they entered into office when they were formally pronounced, by an arrêt of the parliament of Rouen, to be intruders, usurpers, and enemies to the state. The court, irritated and enraged, had determined on the most violent measures but the duc de Harcourt, governor of Normandy, refused to take the command of the troops ap-



pointed for this service. The other provincial parliaments, adopting a similar line of conduct, were in the course of the year suppressed and banished; and new parliaments, wholly dependent on the court, substituted in their room at Besançon, Bourdeaux, Aix, Toulouse, and Rennes. To show the utter contempt of the court for the public opinion, the duc de Choiseul, who had indicated a disposition in some degree favorable to the rising spirit of liberty, was dismissed with unusual marks of resentment and disgrace, and the duc d'Aiguillon succeeded him in the office of first minister.

The agitation of the nation at these proceedings cannot be expressed. The monarch became the object of universal reproach and execration; and not the monarch merely, but the monarchy itself—that form of government to which the French nation had been for ages so zealously attached—sunk most sensibly in the public estimation. The tide of opinion began to flow in an opposite direction, and a republican party was visibly forming, which, however small in its beginnings, might well be regarded, under that corrupt and depraved government, as truly dangerous and formidable. Scarcely were the appearances of decorum preserved on the death of the king; and the appellation of Louis *le désiré*, una-



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nimously given to his successor, was the bitterest satire on his memory \*.

The young monarch, desirous of recommending himself to the favor of his subjects, began his reign with the dismissal of the duc d'Aiguillon, and his detestable co-adjutors, the chancellor Maupeou, and the comptroller-general l'abbé Terrai, which was regarded as the certain prelude of the restoration of the antient parliaments; and on the 12th November, 1774, the recall of the parliament of Paris took place amid the unbounded acclamations of the people. The language of the monarch on this memorable occasion was nevertheless very high and haughty. In his speech on holding the bed of justice, he declared to the parliament, "that he was determined to preserve his authority in all its plenitude, and that he expected they would give to his subjects an example of submission." He told them, "that the king his grandfather was compelled, by their resistance to his repeated commands, to adopt such measures as his wisdom

\* "The king died at Choisy, May 10, 1774. In 48 hours afterwards his corpse was conveyed to St. Dennis; the public houses upon the road were filled with drunkards singing for joy. He was interred without pomp or ceremony, and the surname of *Louis le désiré* unanimously given to his successor, clearly evinced how generally he had incurred the contempt and indignation of the people."



suggested; and that as he had thought proper to recall them to the exercise of those functions which they ought never to have quitted, he desired them to learn to prize his favors, and never to lose the remembrance of their extent." A royal ordonnance was then read, containing the various limitations by which the monarch thought proper to restrain the authority of this assembly—one very important article of which peremptorily required the parliament to enregister the royal edicts in one month at farthest after the day of their publication, unless the king should *graciously permit* the repetition of their remonstrances; and his majesty concluded with a promise of "his royal protection and countenance so long as they *exactly conformed* to what he had prescribed, and they did not attempt to enlarge the bounds of the power which was *granted to them*."

It very soon appeared, after the accession of the new monarch, though himself of a disposition pacific and unambitious, and extremely limited in his capacity, how little dependence was to be placed on the amity and good faith of France. A powerful party immediately arose at the court, of which the QUEEN, a woman of high spirit, busy, bold, and blind to consequences, was considered as the head. Dissolute in her manners, unprincipled in her morals, faithless in her promises, this princess wanted only the talents



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of her predecessor Catharine of Medicis to be as illustriously distinguished for guilt—BUT HER MISFORTUNES HAVE ATONED. This faction burned with a desire to avenge the disgraces of the last war; and America received every encouragement to persist in her resistance to the oppression of England, that was consistent with even the appearance of a decent regard to the occasional remonstrances and memorials of the court of London. The queen also was believed to be actuated by an ardent desire of advancing the interests of the house of Austria, by involving France in contentions which would effectually prevent any interposition of that power in opposition to the schemes of aggrandizement projected by her brother the emperor. In the mean time the views of M. de Maurepas, the new minister, were assiduously directed to the extension of commerce, and the re-establishment of the French marine: though no vigorous measures of reform were to be expected in relation to the financial system, after the imbecility of the king's character had manifested itself in the dismissal of the celebrated, enlightened, and virtuous Turgot, the successor of the infamous Terrai\*.

\* The dismissal of this excellent and able minister, the zealous friend of peace and economy, of toleration and reform, was attended with peculiarly interesting circumstances.



“The situation of France,” says the king of Prussia in reference to the present period, “though far from brilliant, did not the less merit the attention of other powers. Her debts made it impracticable for her to sustain a long war; but, strong in her alliance with Spain, and in the assistance thence to be derived, she

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On the 15th of April 1776, the king wrote to him with his own hand a letter containing the most flattering expressions of satisfaction at his conduct.—“Votre administration bien-faisante, mon cher Turgot,” says the monarch, “vous fait honneur. Vos vues grandes et sages, le bien que vous opérez, les services que vous me rendez, ne sauraient s’oublier. Ils sont gravés dans ma mémoire, et encore plus dans mon cœur. Continuez de faire le bonheur des François, et vous ferez celui d’un roi qui ne veut être que le père de ses sujets.”—

On the 2d of May following, the inconstant monarch addressed a note to M. Malesherbes, the friend and colleague of the minister, in which he says, “TURGOT, mon cher Malesherbes, ne convient plus à la place qu’il occupe.—Le parlement, la noblesse, Maurepas surtout, qui m’aime véritablement, demandent sa retraite : et je viens de la signer.”

Malesherbes, whom the monarch was desirous to retain in his service, in opposition to every effort and entreaty indignantly relinquished his office as secretary of state, after ten months’ possession of it, only having succeeded the duc de Vrillière the July preceding. M. Turgot, foreseeing the fatal consequences of his own dismissal, is said to have remarked with prophetic harshness to the king, “that the fate of weak princes was that of Charles I. of England or of Charles IX. of France.”—Vide *Correspondence of Louis XVI.* Vol. I. p. 84.



BOOK was watching the moment to fall like a falcon  
XVII. upon her prey, and avenge herself upon Great  
1776. Britain for the disasters she had suffered during  
the preceding war. England was at this time,  
under the YOKE of the TORIES, engaged in a  
ruinous contest, which augmented the national  
debts thirty-six millions of crowns per annum.  
For the purpose of striking a blow upon her  
right arm with her left, she exhausted all her re-  
sources, and advanced with hasty steps to her  
decline and fall. Her ministers ACCUMULATED  
faults; but of all these the greatest was the WAR  
with AMERICA, from which no possible advan-  
tage could result. She had needlessly, and with-  
out reason, embroiled herself with all the sur-  
rounding powers; and to her own misconduct  
only could England ascribe that state of deser-  
tion and general abandonment in which she now  
found herself\*.”

\* “ La situation de la France quoique peu brillante, n'en méritoit pas moins l'attention des autres puissances. Ses dettes la mettoient dans l'impuissance de soutenir une longue guerre; mais forte de l'alliance de l'Espagne et de l'assistance qu'elle en pouvoit tirer, on la voyoit épier le moment pour tomber comme un faucon sur sa proie; et se venger sur la Grande Bretagne des maux qu'elle lui avoit causés pendant la guerre précédente. L'Angleterre étoit, sous le joug des TORYS, engagée dans une guerre ruineuse, qui augmentoit les dettes nationales de 36 millions d'écus par an; pour frapper son bras droit de son bras gauche, elle épuisoit toutes ses res-



That union of counsels which since the æra of the family compact had marked the politics of the Bourbon courts, still subsisted in its full vigor. In order to consolidate the friendship of the two crowns, the late king of France had made an entire cession of the province of Louisiana to Spain, without any other apparent motive or equivalent. In his most christian majesty's letter, dated April 21, 1764, to M. d'Abadie, director-general and commandant of the colony of Louisiana, notifying this extraordinary cession, he says, " by a special act done at Fontainebleau (Nov. 3d, 1762), of my own will and mere motion having ceded to my very dear and best beloved cousin the king of Spain, and his successors, in full property, purely and simply, and without any exceptions, the whole country known by the name of Louisiana, together with New Orleans, and the island in which the said city is situated: You are, on the receipt of these presents, to deliver up to the

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sources, et s'acheminoit à grands pas vers sa décadence. Ses Ministres accumuloient les fautes; la principale consistoit à porter en Amerique une guerre dont il ne pouvoit lui revenir aucun avantage. Elle se brouilloit aussi sans raison avec tout le monde. L'Angleterre ne pouvoit donc attribuer qu'à sa propre inconduite le délaissement et l'abandon général où elle se trouvoit alors." — *Œuvres de Frederic II.* Vol. IV. p. 164, 165.



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1776. governor or officer appointed by the king of Spain, the said country and colony of Louisiana.”

The discontents prevailing in Spain since the accession of the present king, and which at length broke out in open insurrection, were appeased by the dismissal of the marquis de Squillacio, and the other Neapolitans who had accompanied the sovereign from Italy ; and the attention of the court of Madrid had been for some years chiefly occupied with the means of effecting the expulsion of the Jesuits from the kingdom ; which was at length carried into execution with circumstances of relentless cruelty, scarcely inferior to those which distinguished the expulsion of the Moriscoes in the last century. The other branches of the house of Bourbon, France, Naples, and Parma, followed the example set by Spain ; and this once famous and flourishing order of religionists now found themselves in almost every country the objects of reproach, hatred, and persecution. Having attained to colosseal growth, they were suddenly menaced with colosseal destruction. Urgent solicitations were made by the Catholic powers to the pope Clement XIII. for the utter abolition of this order : but the holy father, notwithstanding the seizure of Avignon by France, and



Benevento by Naples, in order to enforce a compliance, persisted in a peremptory and positive refusal.

A very remarkable edict having been published by the infant duke of Parma, virtually annihilating the authority of the papal see in his dominions, the Roman pontiff issued, January 1767, a BULL against the duke, in terms which the haughtiest of his predecessors could scarcely have exceeded. By this instrument the pope claimed to himself the sovereignty of the duchy of Parma, and declared the duke to be only his feudatory. He pronounced, on the authority of the church, and of former decisions of his predecessors, that ecclesiastics are not subject to any temporal power or laic jurisdiction; and that, seeing the duke had been guilty of an infringement of the immunities of the church, he had justly incurred its heaviest censures; and unless he desisted from his rash enterprise, he now gave him warning, "that the sentence of excommunication would be denounced against him, and his dominions laid under an interdict." Nor on the joint application of the courts of France, Spain, and Vienna, would his holiness deign to revoke this decree, or even admit the ambassadors of these powers to an audience. As the common father of the faithful, the pope disclaimed indeed every idea of executing any de-



BOOK XVII.  
1776. cree of the Holy See by the aid of temporal force, were it in his power. On the contrary, he declared himself ready, after the example of his predecessors, to suffer whatever personal injury might befall him, and to go into exile wherever it might be thought proper to send him, rather than betray the interests of religion and of the church. The Holy See, he added, was not accustomed to revoke its judgments, which were never passed till after the most mature deliberation, and always with the assistance of the Holy Ghost. At length, loaded with years, with grief and infirmities, this arrogant and inflexible pontiff sunk into his grave; and the famous Ganganelli, who assumed the name of Clement XIV. was, after the conclave had sat three months, elected, May 1769, to the vacant chair of St. Peter. The pontificate of Ganganelli was rendered for ever memorable by the abolition of the order of the Jesuits, in virtue of a bull, issued A. D. 1773, charging them with having adopted opinions scandalous, contrary to good morals, and of dangerous import to the church and all christian states.

This pontiff died in the course of the next year (1774), universally beloved and regretted, not without very general suspicion of poison, of which he is said to have been himself previously and strongly apprehensive; but of this no deci-



sive evidence has been produced. He was succeeded by cardinal Braschi, who took the appellation of Pius VI. Nearly at the same time died Charles Emanuel, king of Sardinia, after a reign of forty-three years. He succeeded to the throne on the resignation of his father in 1730, and governed his dominions with great prudence and felicity. His son, Victor Amadeus, after the acquisition of Corsica by France, perceiving the ascendancy acquired by the house of Bourbon, entered into a strict alliance with the court of Versailles—the princess Clotilda, sister to the king of France, marrying the prince of Piedmont; and the two princesses, daughters of his Sardinian majesty, espousing the counts de Provence and d'Artois, brothers of his most christian majesty.

In the north of Europe Russia still maintained her full ascendancy, and the predominance which she had acquired in the affairs of Poland was opposed not by the glorious ardor of civil liberty, but by a wretched and miserable spirit of religious bigotry; and the majority of the diet, instigated by the BISHOPS, still persisted in refusing to the dissidents, who were chiefly of the Greek church, that liberty of conscience to which they were entitled, not merely by the rights of nature, but by the most express and solemn conventions.



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In the year 1563, a law worthy to be inscribed in letters of gold on a table of adamant was enacted at the diet of Wilna, under the sanction of Sigismund Augustus, the greatest of the Polish monarchs, declaring, “that all those of the equestrian and noble orders, whether of Lithuanian, Polish, or Russian extraction, in every part of his dominions, shall be eligible to all honors, dignities, and trusts, without distinction, or exception, according to his merit, provided he profess the Christian religion.” This law, while it continued in force, was productive of the most salutary effects; but the crown of Poland too soon descending to weak and bigoted princes, the oppressions of the dissidents\* recommenced in various forms. After many vicissitudes of fortune, by the pacification of Oliva,

\* It is observable, that the term *dissidents*, according to its original import, was not used in Poland as in England, to denote merely the separatists from the national church; but equally comprehended the members of the establishment—all the various sects and professions, Romish, Greek, or Protestant, *dissenting* reciprocally from the dogmas held by each other. This is the rational and equitable sense affixed to the term in the famous decree of the diet of Wilna. In the *pacta conventa* framed by the diet assembled after the death of Sigismund Augustus, and which confirmed the principle of toleration in its largest extent, the following clause was inserted, as part of the coronation oath: “I will keep peace among the DISSIDENTS.” Henry of Valois, on his



A. D. 1660, their rights and privileges were at length completely restored and guaranteed by England, Sweden, and the other high contracting parties to that famous treaty. Nevertheless, under the two last monarchs of the protestant house of Saxony, who, in the genuine spirit of apostacy, were eager to signalize their zeal for the faith they had so recently embraced, Persecution, which had long mourned over her broken wheel, again reared her gorgon crest; and, notwithstanding the wisdom and moderation of the present sovereign, and the powerful intercession of the courts of Berlin, London, and Petersburg, the most severe and unjust edicts passed against them. Conceiving themselves devoted to destruction, they at length flew to arms, and, being supported by the power of Rus-

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subsequent election, hesitating to signify his assent to the universal toleration recognized and established by the instrument of government, one of the Polish Palatines cried out, "Unless your majesty confirms this article, you cannot be king of Poland." It is scarcely conceivable, that, after a people had experienced so long the happy effects of a liberal and enlightened policy, it should relapse into that intellectual darkness which has at length terminated in the utter ruin of the Polish name and nation. What a lesson for England! where, during the course of the present inauspicious and unfortunate reign, the spirit of bigotry, of persecution, and intolerance, has made so rapid and alarming a progress!



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sia, the whole kingdom, divided into opposite CONFEDERACIES, became for a succession of years a scene of the most dreadful misery and confusion; nor would the blind rage characteristic of civil and religious discord permit the infatuated Poles to perceive that, by these senseless and horrid contentions, they were exhausting the vital strength of their country, and offering themselves up an easy prey to the rapacity of foreign invaders.

In an excellent memorial presented by Mr. Wroughton, the English resident at Warsaw, November 1766, the memorialist says, “Although the rights and privileges of the dissidents are founded on a doctrine whose principles of charity and benevolence make it characteristic of Christianity, yet it is this religion of which the exercise is disturbed, and of which the professors are excluded from all honourable employ, and deprived of all means of serving their country; and the ambassador urges in the name of the king his master, that, with regard to their ecclesiastical and civil rights, the dissidents may be re-established on the sacred foundations of the treaty of Oliva.”—Happy would it have been had England herself adhered to that wise policy which she so earnestly recommended to Poland. But while she was thus laudably solicitous to extend the shield of her protection to the Polish



dissidents, she forgot that her own code of laws inflicted the most cruel and oppressive penalties upon the same class of citizens within her own dominion; and that the dissidents of England also were the objects of a legal proscription. That the same direful consequences did not result from these laws was to be imputed solely to that prevailing spirit of lenity, characteristic till a recent period of the temper of the times, which forbade or impeded their execution. If any certain conclusion can be deduced from reason, experience, and the uniform tenor of history, it is, that toleration in its fullest extent is a principle in the highest degree salutary and beneficial; and that intolerance in any shape or mode never yet appeared without producing a correspondent measure of animosity, discord, and misery\*.

\* On the theory and practice of government, unbiassed by views of personal aggrandizement, there can be no greater authority adduced than that of the king of Prussia. On the subject of toleration he says, “*De sombres politiques vous diront, Tout le monde doit être de la même opinion, pour que rien ne divise les citoyens. Le théologien ajoute, Quiconque ne pense pas comme moi est damné; il faut donc les détruire dans ce monde pour qu’ils prospèrent d’autant mieux dans l’autre. Mais si l’on remonte à l’origine de la société, il est tout-à-fait évident que le souverain n’a aucun droit sur la façon de penser des citoyens. Ne faudroit-il pas être en DEMENCE pour se figurer que des hommes ont dit à un homme leur semblable—Nous vous élevons au dessus de nous parceque nous aimons l’esclavage, et nous vous donnons la puis-*



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It is not to be imagined that Turkey, who regarded the growing greatness of Russia with anxious and envious apprehension, could be satisfied to remain a mere spectator of the troubles in Poland. Repeated demands were made by the Porte to the court of Petersburg, to withdraw her armies from the territories of the republic, and to maintain that neutrality which the Porte itself had religiously observed. These remonstrances were either wholly neglected, or produced only vague and evasive declarations; and in the frequent conflicts which took place between the Russian troops and the *Catholic confederates* near the borders of the Turkish empire, the rights of sovereignty were occasionally violated, and many causes of complaint occurred. At length matters were brought to a crisis by the sack of the town of Balta in Lesser Tartary, to which a party of the confederates had fled for

sance de diriger nos pensées à votre volonté? Ils ont dit, au contraire, Nous avons besoin de vous pour maintenir les lois auxquelles nous voulons obéir, pour nous gouverner sagement, pour nous défendre. Du reste, nous exigeons de vous que vous respectiez notre liberté. Voilà la sentence prononcée; ELLE EST SANS APPEL; et même cette tolérance est si avantageuse aux sociétés où elle est établie qu'elle fait le bonheur de l'état. Dès que tout culte est libre tout le monde est tranquille: au lieu que la persécution a donné lieu aux guerres civiles les plus sanglantes, les plus longues, et les plus destructives."—*Œuvres de Frederic III.* tome iv.



refuge, and which was immediately attacked and carried sword in hand by the Russians, who massacred great numbers of the inhabitants. On receiving intelligence of this event at Constantinople, M. Obrescow, resident of the court of St. Petersburg, was at an extraordinary meeting of the divan required to sign articles, importing satisfaction for the injuries sustained, and the immediate withdrawing of the Russian troops from Poland; and on his refusal, the ambassador was committed (October 1768) prisoner to the castle of the Seven Towers.

The war which ensued between the two empires exhibits an almost continued series of triumphs on the part of the Russians\*. After the reduction of the provinces north of the Danube, the Russian commander, marshal Romanzoff, passed that great river, and carried his victorious arms into the kingdom of Bulgaria, where the

\* When M. de Vergennes, ambassador from France to Constantinople, wrote in reply to the orders he had received to use his utmost influence to make the Porte declare war against Russia; "I will make the Turks take arms whenever you please, but I must previously inform you they will be beaten; that this war will turn out contrary to your intentions, by rendering Russia more glorious and more powerful;" he shewed himself, undoubtedly, a greater politician than the duc de Choiseul.—*Private Life of Louis XV.*



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Turkish crescent, elevated on the ruins of the christian cross, had reigned for centuries unmolested. By sea the efforts of the court of St. Petersburg were no less extraordinary. A fleet under count Orloff, with many able English officers on board, sailing from the Gulph of Finland in the summer of 1770, entered the Mediterranean, and totally defeated the Turkish fleet in the channel of Scio; the shattered remains of which retiring for safety to the harbour of Chesme, on the coast of Natolia, were by means of fire-ships in the night after the battle entirely destroyed, and all Europe saw with astonishment the Russian Eagle flying triumphant over the Archipelago, and menacing with attack the city of Constantinople itself. The Turkish government was at the same time alarmed by a general revolt of the Greeks in the Morea; by a rebellion in Egypt, headed by the famous Ali Bey; by another in Syria, conducted by Cheik Daher; and a fourth in Georgia, under prince Heraclius; so that the enormous fabric of that unwieldly and ill-compacted empire seemed to totter to its fall. These various insurrections were however finally suppressed, and peace concluded with Russia at Kainardgi, July 1774, on the humiliating terms of ceding to Russia the whole country between the Bog and the Nieper; of consenting to the absolute independency of the Crimea; and of



allowing to the shipping of Russia a free navigation in all the Turkish seas, including the passage through the Dardanelles. The grand signior Mustapha III. did not live to the conclusion of this disastrous war. He ascended the throne of the Ottomans, A. D. 1757, on the death of his uncle Osman III. who had three years before succeeded his brother Mahomet V. The late sultan Mustapha, agreeably to the laws antiently established in Turkey, was succeeded, after an eventful reign of sixteen years, by his brother Abdul Hamet, or Achmet IV.; sultan Selim, eldest son of the late emperor, not having yet attained the age of majority.

During the continuance of this war, a grand object was formed by the courts of Vienna, Petersburg, and Berlin, originally suggested by the inventive genius of the king of Prussia, for the partition of Poland. Different interviews had taken place between the king and the emperor at Neisse in Silesia, August 1769, and at Neustadt in Moravia the following year, in which mutual protestations of regard and inviolable friendship were exchanged with the usual sincerity of princes. The judgment passed by the unerring penetration of the Prussian monarch respecting the emperor, at this early period of his life, was, "that with a disposition to learn he had not patience enough to be instructed."



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On the accession of the empress of Russia to this conspiracy of sovereigns, manifestoes were published A. D. 1772, by all these powers, stating their claims and pretensions to such provinces as happened to be most commodious for their purpose, and lying contiguous to their own territories. To Russia was allotted the whole country westward of the rivers Dwina and Nieper. The emperor seized upon a vast tract of land, extending from the frontiers of Moravia to the province of Volhynia, and situated in a direct course to the northward of Hungary and Transylvania, on which the pompous appellations were bestowed of the kingdoms of Gallicia and Ludomiria. The whole of royal Prussia, with some adjoining districts of Great Poland, fell to the share of the king of Prussia, all of which he claimed as his clear and indisputable right; it being, as this monarch was pleased to affirm in his manifesto, notorious, “that the kings of Poland did many ages ago violently disseise the dukes of Pomerania, the dukes of Stettin, and the dukes of Dantzick, his majesty’s ancestors, of those dominions, which his majesty, as sole heir and universal successor of all these dukes, now so justly and equitably reclaimed.” In vain did the king and diet of Poland protest against these unheard-of claims and extravagant pretensions. In vain did they appeal to all Europe, that the



dominions of the republic were not only secured to them by the prescription of centuries, but were guaranteed by the most solemn treaties; and that, should an act of such enormous perfidy and injustice be permitted or connived at, every principle of public faith would be subverted, and nations must hereafter acknowledge no other law than that of force. The diet was in the end compelled to ratify these claims: and at the same time important alterations were made in the constitution of the republic, by which the power of the crown was still farther reduced, particularly in the establishment of a permanent executive council, in which the monarch presided with only a single voice. All these atrocious proceedings so nearly and deeply affecting the balance of power on the continent, were viewed with apparent indifference by the great potentates of Europe; particularly by England, then intent on her desperate projects of American subjugation; although in latter times the possession of a single town \* has been thought so materially to affect that balance, as to justify a war for the sole purpose of effecting its restoration. A grand alliance, projected by the cabinet of Versailles, between the courts of Versailles, London, Madrid, and Turin, in order to counterbalance that

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\* OCZAKOW



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subsisting between the courts of Petersburg, Vienna, and Berlin, not meeting with encouragement from England, perished in embryo\*.

The situation of the Scandinavian courts yet remains to be described. Frederick V. king of Denmark had departed this life in January 1766. He was a just, wise, and beneficent prince; the friend and father of his subjects, by whom he was beloved with unfeigned ardor, and who bedewed his monument with the tears of gratitude and affection. He was succeeded by his son Christian VII. who in a few months after his accession espoused the princess Carolina Matilda, youngest sister of the king of England. Soon after this marriage the young monarch left his kingdom, actuated by a restless and roving desire of visiting foreign countries. In the year 1768 he arrived in England, where he was en-

\* This is a fact well known in France, and mentioned by several French writers. In Mr. Burke's Memorial on the state of affairs, A. D. 1791, he confirms their testimony in the following terms:—"To my certain knowledge, if Great Britain had at that time been willing to concur in preventing the execution of a project so dangerous in the example, even exhausted as France then was by the preceding war, she would at every risk have taken an active part in this business. But a languor with regard to so remote an interest, and the principles and passions which were then strongly at work at home, were the causes why Great Britain would not give France any encouragement in such an enterprise."



tertained with great magnificence; whence he passed into France and Germany, and did not return to his dominions till the following year.

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The apparent weakness and incapacity of the king, on his assuming the reins of government, sufficiently demonstrated that he had gained no valuable accession of knowledge by his late travels. A certain German physician, of the name of Struensee, who had attended the king abroad, had acquired the entire ascendancy over him, and being created a count, was placed at the head of affairs; the ministers of the late king, counts Bernstorff, Holke, &c. being previously disgraced. With the rash presumption incident to sudden and unmerited prosperity, this man attempted to introduce many innovations into the government and police of the kingdom, by which he made himself universally odious. The very high favor in which he evidently stood with the queen also gave rise to imputations little to the advantage of her majesty's character. At length, by an unexpected and extraordinary court-revolution, conducted by the queen dowager and her son prince Frederick, Struensee and his principal partisans were arrested under the sanction of a warrant compulsorily signed by the king. The queen herself was committed close prisoner to the castle of Cronenburg, January 1772. In the sequel, Struensee suffered on a



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public scaffold; and the queen, against whom it was for some time a subject of doubt whether a capital process should not be instituted, was allowed, through the powerful interposition of England, to retire from the Danish dominions, and found an asylum in the city of Zell, where, after residing some years, she died in neglect and obscurity.

The events which passed nearly at the same time in Sweden were of a nature, in a political view, far more important and interesting. High disputes had for many years subsisted between the king and the senate. At length, in consequence of a refusal of the senate to convoke an extraordinary diet, which the king declared to be absolutely necessary to remedy the evils which distracted the state, an instrument was signed by the king, and delivered by the prince royal to the different *colleges* of justice, of finance, and of war, by which the king notified to them in form, that until the states were convoked he found himself under the necessity of abdicating the government. This was a measure of deep policy, and at the same time of great popularity, the senate having rendered themselves universally odious by the abuse of the powers entrusted to them by the constitution. The different executive departments of the state refusing to act after this notification, the senate most reluctantly



convened the diet, which met at Norkioping in the month of April 1769. The secret committee in a short time brought twenty-four articles of accusation against the senators, and allowed them forty-eight hours only to prepare for their defence; and they were in the result degraded from their offices. The court nevertheless failed in the grand point of effecting an extension of its powers. On the question being put, "Whether it be proper to make any innovations in the fundamental constitution of the kingdom," it was carried in the negative, in the orders of nobles, by 457 to 431 voices. The orders of burghers and peasants also severally decided against any alterations of the existing political system. Things continued therefore nearly in the same state till the death of the king, which took place early in the year 1771. He was succeeded by his son Gustavus the Third, who was at that period absent at the court of Versailles. On his return to Sweden, he passed some days at Berlin; and at these two courts the project of a revolution in the government of Sweden was undoubtedly concerted, although the king, in his letter to the states, gave them the most solemn assurances that he would inviolably adhere to the constitution or *formula* of government settled in the year 1720. In his speech at the opening of the diet in June,

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he declared, that he considered it as his greatest glory to be the first citizen of a free country; and at his coronation, which took place in the month of February, 1772, he not only took the customary oath, but by a voluntary declaration, he formally absolved the states from their allegiance should he ever attempt any infringement of the *capitulations* to which he had then sworn. All this however was the result of a studied and consummate hypocrisy. After a long train of the most artful preparations, he at length determined, on the morning of the 19th of August 1772, to throw off the mask. Summoning the officers of the royal guard, he insinuated to them that his life was in danger from the machinations of the senators, painted in strong colors the wretched state of the kingdom, and declared, that his only design was to banish corruption, establish true liberty, and revive the ancient lustre of the Swedish name. "Will you," said he, "be faithful to me as your forefathers were to Gustavus Vasa and Gustavus Adolphus? I will then risk my life for your welfare and that of my country." The officers expressing in warm terms their attachment to the king, and their readiness to concur in his designs, a detachment of grenadiers were posted with bayonets fixed at the door of the council chamber, where the senators were actually engaged in delibera-



tion, to prevent all ingress or egress. Other principal leaders of the aristocratic party were also at the same time put under an arrest; and the king, mounting his horse, followed by his officers and soldiers, rode through the streets of Stockholm, addressing himself to the innumerable crowds which were gathered together, and protesting "that he only meant to defend them, and save the country from ruin; and that, if they could not confide in him, he would resign his sceptre and his kingdom." The deluded people, with loud acclamations, applauded his patriotism, and entreated him not to abandon them. No symptom of resistance any where appeared; and the diet being in a few days convened, the king addressed the states in a long harangue, in which, after describing in forcible language the disorders and misfortunes in which party divisions had plunged the nation, he ordered the new *formula of government* to be read, which he now *proposed* for their acceptance. By one article of the new constitution, the king was vested with the power of assembling and dissolving the states at pleasure. By another he was to have the sole disposal of the army, the navy, the finances, and all employments civil and military. By a third, all existing taxes were made perpetual; and the king, in case of *pressing necessity*, might impose new taxes till the states

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should be assembled. And by a fourth, the states, when assembled, were to deliberate only on those questions which the king thought proper to refer to them. The instrument of government being read, the king demanded whether they approved of it? Cannon being planted in the court facing the hall where the states were assembled, and matrosses standing over them with lighted matches, the assembly declared with one voice their entire assent to these articles; and the oath of fidelity was immediately administered to them. After which *Te Deum* was sung by his majesty and the assembly, in devout commemoration of this most happy event. And thus was a revolution accomplished, which converted one of the most limited monarchies in Europe into one of the most absolute, without shedding a single drop of blood; and the nation at large, which had been grievously oppressed under the former aristocratic constitution, and which had never attained to true and rational ideas of liberty, were delighted with the present change of government, from which they hoped to enjoy tranquillity and security at least, if not the felicity and advantages of political freedom.

It is now necessary to revert to the more proper subject of the present history, and to resume the narration of military operations in America. It has been before remarked, that the siege or



blockade of Quebec, notwithstanding the disastrous issue of general Montgomery's attempt, was continued through the winter with astonishing resolution by colonel Arnold, who was afterwards superseded by general Sullivan. Early in the spring, before the Americans could be joined by their expected reinforcements, a naval armament from Great Britain, consisting of the Isis of 54 guns, accompanied by the Surprise frigate and the Martin sloop, forced their passage through the ice before the navigation of the St. Laurence was deemed practicable. General Carleton, animated no less than strengthened by the welcome and seasonable succours they brought, immediately marched out in force in order to attack the American camp; but the besiegers, weakened by hardship and disease, and now altogether despairing of success, had already begun their retreat, abandoning their baggage, artillery, and stores, and directing their march towards Sorel, which they reached in a few days in a very ill condition. Towards the end of May, all the reinforcements being now arrived from England, a very great force was collected in Canada, the general rendezvous of which was appointed at Trois Rivières, half way between Montreal and Quebec, about ninety miles from each. General Burgoyne, who was second in command, had orders to



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pursue the continental army up the Sorel to St. John's. This post was now abandoned by the Americans, who retreated in confusion to Isle aux Noix, and from thence to Crown Point. Montreal and Chamblée had been also previously evacuated, and the garrisons with difficulty avoided being entirely cut off. Still the Americans were masters of Lake Champlain, and the greatest exertions were made by the generals Carleton and Burgoyne to construct a number of vessels of sufficient force to give them that superiority which was essential to the success of the expedition now meditated to the southward; and, till this purpose was effected, military operations were entirely suspended in the province of Canada.

A strong squadron, commanded by sir Peter Parker, with about 3000 land forces on board, sailed from Cork in the month of February, on an expedition to the middle or southern colonies. The departure of this fleet was delayed by a singular circumstance. The lord lieutenant of Ireland, lord Harcourt, doubting his power to permit the troops to leave the kingdom, a clause expressly authorizing him so to do was inserted in a bill then pending in the parliament of Ireland. When the bill came to England, the clause was struck out with indignation, as implying an undue limitation of the prerogative. But



the lord lieutenant, conceiving himself pledged by the king's word solemnly given to the Irish parliament, refused to permit the troops to embark without leave of the legislature; and a new clause was hastily inserted in another bill, which was transmitted and passed, though not without great resentment against the lord lieutenant, who, on his arrival in England some time afterwards, met at court with a very indifferent reception.

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On the 3d of May, 1776, admiral sir Peter Parker anchored off Cape Fear, where he was joined by general Clinton; and finding that nothing could be attempted with probability of success in Virginia, it was determined to try the event of an attack on the city of Charlestown, the capital of South Carolina; and in the beginning of June the whole fleet anchored off Charlestown bar. Prior to their arrival the city had been put into a proper posture of defence; and works were erected on Sullivan's Island, mounted with thirty pieces of cannon, in a very advantageous situation for annoying ships in their approach to the town. The militia of the province were now collected in great numbers for the defence of the metropolis, aided by several continental regiments, and the whole were commanded by general Lee, who had traversed the whole extent of the continent with wonderful



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expedition, in order to put himself at their head.

On the 28th of June, the Bristol and Experiment, each of 50 guns, supported by several smaller ships, had with some difficulty crossed the bar, and advanced to the attack of the fort on Sullivan's Island, constructed entirely of the palmetto, a soft and spongy wood, in which a ball entering is buried, and makes no extended fracture. A most furious cannonade now began from the shipping, which was returned with equal fury and much more effect from the fort. The ships were almost torn to pieces, and the slaughter was dreadful. During the conflict, the seamen looked frequently and impatiently to see the land forces advance from Long Island, where they had some time before effected a landing, to Sullivan's Island, from which it is separated by a creek, in general fordable, but at this time, through a long continuance of easterly winds, deep and dangerous to attempt. The firing did not cease till evening, when the ships slipped their cables, and withdrew from the scene of action, after an engagement supported on both sides with uncommon spirit and vigor. The Actæon, of 28 guns, having run aground, was abandoned and set on fire. Captain Morris, of the Bristol, after displaying heroic valor, received a wound which proved mortal. Captain



Scott of the Experiment, and lord William Campbell, late governor of the colony, who now with great gallantry served as a volunteer on board the fleet, were also dangerously wounded, with more than 200 men of the crews of these two ships only. Colonel Moultrie, the commandant of the fort, merits distinguished mention, for the skill and cool determined valor with which he conducted his defence. The design on Charlestown was, after this disaster, abandoned; and sir Peter Parker immediately set sail for New York.

It being now thoroughly ascertained that the utmost lenity which America had to expect from Britain was pardon upon unconditional submission, the minds of the generality of men throughout the continent were by this time fully prepared for a formal declaration of independency. North Carolina and Pennsylvania, which had long opposed this measure, now signified their concurrence. Maryland alone still discovered symptoms of reluctance. General Lee, in a letter written at this time to a person of distinction in that colony, in terms very characteristic of his ardent and fiery disposition, says, "I know not whether in the whole course of my life I ever read any thing which so much moved my pity and indignation as the late declaration of the convention of Maryland. They declare,

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1776. attempt has been made to rob you and your  
posterity of your birthrights—when your fields  
have been laid waste, your towns have been  
burnt, and your citizens butchered; when your  
property is seized and confiscated in all parts of  
the world; when an inexorable tyrant, an aban-  
doned parliament, and a corrupt pusillanimous  
people, have formed an hellish league to rob you  
of every thing men hold most dear; is it possible  
there should be creatures, who march on two  
legs, and call themselves human, who can be  
so destitute of sentiment, courage, and feeling,  
as sobbingly to protest, they shall consider se-  
paration from these butchers and robbers as the  
last of misfortunes?

“ Oh, I could brain you with your ladies' fans !”

In pursuance, however, at length, of instruc-  
tions transmitted from all parts of the province,  
the Maryland convention passed a vote in favor  
of independence; and the delegates of all the  
Thirteen Colonies assembled in general congress  
being now unanimous, the DECLARATION OF  
INDEPENDENCE was solemnly promulgated on  
the 4th of July, 1776. This famous decla-  
ration commences with the acknowledgment,  
“ That respect to the opinions of mankind re-



quires, that, when in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, they should declare the causes which impel them to the separation; and they assert the unalterable right of the people, whenever government becomes destructive of those ends for which it is instituted, to form a new government on principles most likely to effect their safety and happiness. Prudence indeed will dictate, that governments long established should not be changed for light and transient causes; and all experience hath shewn that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they have been accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former system of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states." In proof of



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this assertion they then proceed to enumerate the particulars of his conduct in relation to America, and the oppressive and tyrannic acts of his reign. In conclusion they say, "In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injuries. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people. WE therefore, the representatives of AMERICA in general congress assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, that these united colonies are, and of right ought to be, FREE AND INDEPENDENT STATES, and that they are absolved from all allegiance to the British crown; and that all political connection between them and the state of Great Britain is and ought to be totally dissolved: and in support of this declaration, we mutually pledge to each other our lives, our fortunes, and our sacred honour\*."

\* Of this memorable declaration, memorable not merely in the annals of Great Britain, but in the history of the world, the English court, bitter as its chagrin and vehement as its resentment must questionless have been, took no public notice. An elaborate answer however in a short time appeared from



This DECLARATION was received in every part of the continent with the loudest acclamations of applause. Amongst the most enraptured in this glorious moment of enthusiasm, was the heroic and romantic Lee, who, at this period, writing to Patrick Henry, esq. governor of Virginia, thus exultingly expresses himself: "The reveries which I considered as mere golden castles built in the air, at length bid fair for being realized. We shall now most probably see a mighty empire established of freemen, whose honour, property, and military glories, are not to be at the disposal of a sceptred tyrant, nor the pen of a ministerial writer, under the undisguised sanction of government, which, with unabated pride and undiminished folly, speaking through this medium, says, "Ill would it become the DIGNITY of an insulted sovereign to descend to altercation with revolted subjects. Easy as it were to refute the calumnies contained in that audacious paper, it could not be expected that his majesty or ministers should CONDESCEND to give it any answer."—In reply to the dreadful charge of exciting the Indian savages to take up the hatchet against the colonists, an explicit and daring avowal is made, "that since force is become necessary, it matters not whether the instrument be a German or a Calmuck, a Russian or a Mohawk." Thus it appears from the courtly representation of this favored writer, "that the king of Great Britain, rather than recede an iota from his novel and unconstitutional claims, rather than revoke a single act of contumely or oppression, would without hesitation deliver up a whole continent to the unutterable horrors of Indian and Tartarian barbarity, converting in his ireful mood the most flourishing country

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their consciences to be fettered by a proud domineering hierarchy. Every faculty of the soul will now be put in motion; every spark of ability which every individual possesses will now be brought forth, and form the common aggregate for the advantage and honour of the community."

By advice of the new American minister, lord George Germaine, the chief command of the vast naval and military force now collected for the subjugation of America was entrusted to the HOWES, brothers of the gallant nobleman who so gloriously fell in the defence of the colo-

upon earth into one mighty waste, the eternal abode of solitude and desolation."—"Flattered from their cradles," says a noble writer (lord Chesterfield), "the hearts of kings are corrupt, and their heads are turned; so that they seem to be a species by themselves. No KING ever said to himself, *Homo sum; humani nihil à me alienum puto.*" And Mr. Burke, who has since taken so much pains to unlearn his former notions, has told us, "that a king is ever surrounded with a crowd of infamous flatterers, who find their account in keeping him from the least light of reason, till all ideas of rectitude and justice are erased from his mind." And he scruples not to say, "that, judging upon sure and uncontested principles, the greatest part of the governments on earth must be concluded tyrannies, impostures, violations of the natural rights of mankind, and worse than the most disorderly anarchy." By what species of unparalleled effrontery can this writer accuse and denounce another for proclaiming usurpers by circles of latitude and longitude over the whole globe!!!



nies in the former war at Ticonderoga. "Ame-  
rica," said the congress, in one of their public  
declarations, "is amazed to find the name of  
Howe in the catalogue of her enemies—she  
loved his brother." It argued, however, very  
shallow policy to make this nomination under  
the idea that the sound of a once popular name  
would cause America to waver for a moment in  
her determination, or in the slightest degree re-  
mit her preparations of resistance; though it  
might indeed be reasonably questioned, whether  
men supposed not unfavorably inclined to Ame-  
rica would be likely to make exertions equally  
vigorous and ardent with others not inferior in  
talents, who entertained no such predilection.  
Lord Howe, who was anxious to obtain an en-  
largement of his powers as commissioner, in  
order to effect his favorite purpose of pacifica-  
tion, did not leave England till May, and he  
then directed his course for Halifax, where he  
arrived in June; but found, by a letter left for  
him, that his brother, the general, was already  
departed for New York; to which place he in-  
stantly proceeded without coming to an anchor,  
and reached Staten Island, the head-quarters of  
the general, on the 12th of July. Here, to his  
inexpressible chagrin, he was informed of the  
publication of the declaration of independency.  
His lordship, however, resolved to make an ef-

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fort, such as yet remained, for effecting an accommodation; though so limited were his powers, that it was in fact of very immaterial consequence whether his arrival proceeded or succeeded the declaration. On his arrival off the coast, his lordship had sent ashore by a flag to Amboy a circular letter addressed to the governors of the different colonies, acquainting them with his appointment as commissioner, in conjunction with the general, together with a declaration to the inhabitants. Copies of these papers were sent by general Washington to the congress, who immediately resolved, “that they be published in the several gazettes, in order that the good people of the United States might be apprised of what nature are the commissions, and what the terms with the expectation of which the insidious court of Great Britain has endeavoured to amuse and disarm them.” Some days after this, adjutant-general Paterson was deputed by general Howe with a message to general Washington, stating, that the commissioners were invested with great powers, that they would derive the greatest pleasure from effecting an accommodation, and wished this visit to be considered as the first advance towards that desirable object. General Washington replied, “that, by what had transpired, their powers extended merely to the granting of par-



dons; that those who had been guilty of no fault wanted no pardon; and that they were only defending what they deemed their indisputable rights." Both sides now prepared seriously for action; and the general, being joined by the far greater part of his expected reinforcements, found himself at the head of 30,000 veteran troops, supported by a formidable fleet, composing together a far superior force to any that had ever before been seen in the New World employed in the same service.

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On the 22d of August, 1776, the whole army being re-embarked, was safely landed, under protection of the shipping, on the south-western extremity of Long Island, an extensive and fertile tract; on the opposite side of which, in view of the island and city of New York, lay encamped, near the village of Brooklyn, a large body of Americans commanded by general Sullivan. His lines extended on the left to the East River, which separated him from New York; he was defended by a marsh and an inlet of the sea called Gowan's Cove on the right; and to the rear of the encampment was an open bay, bounded by a small island, known by the name of Governor's Island. Between the armies was a range of hills covered with wood, intersecting the country from east to west: through these hills are three passes, one to the westward called



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the Narrows; a second, on the road denominated the Flat-bush road; and the third, bending to the east, called the Bedford road. Besides these there is a road leading round the eastern extremity of the hills to a plantation called Jamaica. On each of these roads or passes the American general had placed a strong guard of 800 men. General Howe, having formed his plan, stationed general Grant at the head of the left wing, in a position to guard the coast, and, if practicable, to force a passage through the Narrows. General de Heister, with the Hessians, was ordered to take post at the central pass of Flat-bush.

About nine in the evening of the 26th, the main army, under the command of general Clinton and the lords Percy and Cornwallis, marched to the right, in order to gain the eastern or Jamaica pass, which, through the unaccountable negligence or cowardice of the officer appointed to defend it, they accomplished without delay or difficulty. The way being thus open, the whole army descended by the town of Bedford into the level country which lay between them and the American lines. The action began early on the morning of the 27th, by a warm cannonade on the right of the American lines from the generals de Heister and Grant; the ships of war in the mean time attacking a battery at Red



Hook, in the rear of the American encampment, in order to call off their attention from the left and centre, where the real danger lay. The Americans having taken a station some miles distant in front of their camp, in order to oppose the advance of de Heister and Grant, were suddenly attacked by general Clinton in the rear, and immediately thrown into the utmost confusion; and, in the effort to retreat back to the lines of Brooklyn, great numbers were killed or taken prisoners; among the latter were general Sullivan and ten other field officers, and many were drowned or suffocated in attempting to pass the marsh. Upon the whole, a signal victory was obtained with inconsiderable loss; and such was the ardor of the British troops, that scarcely could they be restrained by the too great caution of their commander from storming the American lines, which would have been in all probability quickly forced, in the consternation occasioned by the loss of the battle. On the next day the British troops broke ground in form, at 600 yards' distance from the nearest redoubt, and the ships in the bay waited only a fair wind to enter the East River, which would have effectually cut off all communication between the island and the continent. In this situation no hope remained but in a retreat, which was in the succeeding night effected, under cover of a thick fog, with



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extraordinary silence, order, and secrecy—general Washington himself crossing over in person, and taking the conduct of the whole. On the clearing up of the fog, the last boats of the Americans were seen passing the river, but out of reach of the English batteries; and general Howe, whose hopes had been raised to the highest pitch, now found no other advantage resulting from his victory than the inglorious acquisition of the deserted works of Brooklyn. Almost immediately after this transaction, general Sullivan was sent upon parole, with a verbal message from lord Howe to the congress, importing, that, although he could not at present treat with them in a legal character, yet he was desirous of conferring with some of the members of that assembly in their individual capacity; informing them, “that he, with the general, was invested with full powers to compromise the dispute between Great Britain and America, on terms advantageous to both; the obtaining of which had detained him near two months, and prevented his arrival before the declaration of independency had taken place. If, upon the conference, any probable ground of accommodation appeared, his lordship added, that the authority of congress must of course be subsequently acknowledged, in order to render the compact complete.” The CONGRESS replied with repub-



lican dignity, rather raising than lowering their tone in consequence of the late defeat, that “being the representatives of the free and independent STATES of AMERICA, they could not with propriety send any of their members to confer with his lordship in their private characters; but that, ever desirous of establishing peace on reasonable terms, they would send a committee of their body, to know whether he had any authority to treat with persons authorized by congress, and what that authority is.” The committee appointed for this purpose, Dr. Franklin, Mr. John Adams, and Mr. Rutledge, accordingly met lord Howe upon Staten Island, September 14, where they were entertained by his lordship with great politeness; but in the report of this conference they say, “that his lordship’s commission appeared to them to contain no other authority of importance than was comprised in the act of parliament; for, as to the power of enquiring into the state of America, and transmitting the result of such enquiry to England, they apprehend any expectation from the effect of such a power would have been too precarious to America to have relied upon, had she continued in her state of dependence.” Thus all hope of success in consequence of negociation vanished, much to the satisfaction of the friends of American independence, who dreaded lest the powers



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vested in the commissioners should have proved so extensive as to create a serious difference of opinion as to the propriety of treating: but this the abounding pride and deficient wisdom of the English court most effectually prevented. No suspension of arms having taken place, several ships of war were, previous to the conference, sent up the East and North rivers, which lave the coast of the long and narrow peninsula at the extremity of which the city of New York is situated. The army of general Washington being stationed, part in the environs of the city and part at Kingsbridge, on the isthmus which connects the peninsula with the continent, apprehensions were entertained that the English general, by landing his forces in the centre, would cut off the communication between them; on which a resolution was taken, immediately to evacuate the city; and on the actual landing of the British forces, the Americans retreated with precipitation and some loss to Kingsbridge, where they had erected strong works. The greater part of the army were now re-embarked, and again landed near West Chester, with a view to gain the rear of general Washington's encampment, and to enclose him in his fastnesses on all sides. The American commander, alarmed by the remonstrances of general Lee, who had recently joined him, perceived the necessity of making a grand



movement, in order to counteract this project; and, immediately decamping with his whole army, took a new and strong position at White Plains, the deep river Brunx covering his front, and the North River flowing at some distance in the rear.

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On the 28th of October the royal army advanced in two columns within cannon-shot of the American lines; and a part of the left wing crossing the river, attacked an advanced post of the American encampment, commanded by general Macdougall, who was compelled to retreat with loss to the main army; the right and centre, fortunately for the Americans, did not quit the ground on which they had at first formed. The next day general Howe observing the American lines much strengthened by additional works, resolved to defer the attack till the arrival of the troops which had been left on York Island; who joining him at the expected time, new dispositions were made for attacking the American lines on the last day of October, but incessant rains prevented the execution of his plan; and in the night of the 1st of November general Washington drew off his troops, and took another and still stronger position, amidst the woods and high lands bordering on the North Castle district. General Howe, perceiving that the nature of the country would not admit of forcing the Ame-



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rican commander to an engagement, made a sudden movement towards Kingsbridge, and unexpectedly invested Fort Washington, a strong post which the Americans, contrary to the earnest advice of general Lee, occupied on the North River, opposite to which was Fort Lee on the Jersey side. The commander of the fortress refusing to surrender to the summons of general Howe, it was by an immediate and vigorous assault carried sword in hand, and more than 2000 men made prisoners of war. On this acquisition, lord Cornwallis was detached with a strong body of forces to form the investment of Fort Lee, but found it already abandoned by the garrison, who retired with such precipitation as to leave behind them their artillery, provisions, and stores. General Washington, who had passed the North River with a view to the protection of the province of Jersey, now found himself compelled to retreat with a very diminished force to Newark, whence he fell back on the approach of lord Cornwallis to Brunswick, leaving Newark the very morning that his lordship entered it. As the van of lord Cornwallis's army advanced to Brunswick, by a forced march, December 1, general Washington retreated to Prince-town, having first broken down the bridge erected there over the Rariton. As the orders of his lordship were positive not to advance beyond Brunswick, he



here sent dispatches to the commander in chief, expressing sanguine hopes, that by a continued pursuit he could entirely disperse the army under general Washington, and seize his heavy baggage and artillery before he could pass the Delawar. But general Howe would not revoke his order, saying only that he would join his lordship immediately: but this junction did not take place till after an important interval of several days; and the Americans were once more saved by the cold and dilatory policy of the English general.

On the 7th, lord Cornwallis advanced to Princetown, which the Americans had scarcely quitted: and the van of his lordship's army reached at midnight, December 8, the banks of the Delawar, just as the rear-guard of the Americans gained the opposite shore. Here a cessation of the pursuit became indispensable, as no boats could be procured for transporting the troops over that great river. During this memorable retreat, general Lee, at the head of a considerable body of troops, had followed the track of lord Cornwallis, but at too great a distance to be of any service to the commander in chief. It seemed as if his proud and envious mind, which could brook no superiority, would have been gratified by the total defeat and ruin of general Washington, to whom he would, in all probability, have suc-



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ceeded as generalissimo of the forces of America\*.

But it was otherwise decreed, and an unlooked-for and unspeakable mortification and disgrace awaited him. While he lay carelessly and without a guard at a place called Basking-ridge, intelligence of his situation was communicated to colonel Harcourt, who instantly formed a plan for capturing this able officer, styled by the British army "the American Palladium." With such address and activity was this project carried into execution, that the general was seized by a party of light horse, conducted by the colonel in the night of the 13th of December 1776, and carried safely off to the British camp, though several guarded posts and armed patrols lay in their way. This capture caused great exultation, and the prisoner was confined in the closest manner. An offer being made by the congress to exchange six field-officers for the general, it was answered, that general Lee, being a deserter from his majesty's service, did not come under the denomination of a prisoner of war, nor was he en-

\* General Washington on the 8th of December writes—  
"I have no certain intelligence of general Lee, although I have sent frequent expresses to him. I last night dispatched another, desiring he would hasten his march to the Delawar, in which I would provide boats near Alexandria, for the transportation of his troops.—I cannot account for the slowness of his march."—*Vide General Washington's Letters.*



titled to the benefits of the cartel; and the menace of retaliation alone prevented their proceeding to the last extremity against him \*. During the royal successes in the Jerseys, general Clinton, with two brigades of British and two of Hessian troops, with a squadron of men of war, was detached to the attack of Rhode Island—which being in no condition of defence, was abandoned to them without resistance. It was taken possession of by general Clinton on the very day that general Washington crossed the Delaware. When the expedition was in readiness to proceed on this enterprise, general Clinton strongly urged that he might rather be permitted to conduct it to the Delaware, where it would no doubt have produced effects infinitely more important: for the possession of Rhode Island had no other visible consequence than to keep a great body of troops unemployed for three successive years, and apparently contributing as little to the projected reduction of the adjoining continent as if they had been stationed at Formosa or Japan.

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The affairs of America were now in the opinion of many verging to a crisis; for, though it might reasonably be expected that the first operations of so great a force as that now employed

\* *Vide* Washington's Letters, January 12, 1777.



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by Great Britain would be successful in a certain degree, it could scarcely be imagined that such a series of disasters could happen in so short a time. But the event of the campaign, though now in appearance brought very nearly to a termination, shewed in a striking manner the caprice of fortune, and the folly of those who in a hazardous and dangerous war rely on a constant and uninterrupted tide of success. When general Washington retreated across the Delawar, he trembled for the fate of America \*; and talked of retiring for safety with the remains of his army to the recesses of the Alleghany mountains, expecting to have been immediately followed by the British forces. For, though the boats were by a timely precaution removed to the Pennsylvanian shore, the neighbourhood supplied ample materials, which art and industry might soon have constructed into rafts and flotillas sufficient for the transportation of the troops. But it was remarked by men of discernment, that nothing of the vast or decisive appeared in the plans of the English general, and the troops now

\* “There can be no doubt,” says the American general, in his dispatch of December 12, “but that Philadelphia is the object of the enemy, and that they will pass the Delawar as soon as possible. Happy should I be, if I could see the means of preventing them; at present, I confess I do not.”

—Vide *Letters by General Washington, &c.*



in the full career of success were ordered into winter cantonments, forming an extensive chain from Brunswic to the Delawar, and down the banks of that river for many miles, so as to compose a front at the end of the line looking over to Pennsylvania. General Washington having perfect information of this disposition, in the spirit of a vigilant and sagacious commander, immediately formed the resolution to clip the wings of the enemy while they were so spread \*."

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Very early in the morning of the 26th of December (1776), a day purposely selected on the supposition that the preceding festivity might favour the project of surprize, general Washington crossed the Delawar, not without extreme difficulty from the quantity of ice in the river, nine miles above Trenton, and immediately began his march in the midst of a storm of snow and hail at the head of his troops, which ex-

\* "Mr. Mersereau, employed by the American general to gain intelligence, returned with an account where they were cantoned, and in what numbers. General Fermoy was appointed to receive and communicate the information to the commander in chief. Upon the receipt of it, HE cried out, 'Now is our time to clip their wings, while they are so spread!'" Vide GORDON'S *History of the American War*.



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ceeded not three thousand in number, and reached Trenton by day-break. Here about one thousand six hundred men were stationed, chiefly Hessians, under the command of colonel Rahl, who, being unsuspecting of danger, were thrown into confusion at the first attack. Colonel Rahl himself being mortally wounded, the disorder increased, and, abandoning their artillery, they attempted to make their retreat to Prince-town: but finding this impracticable, and being now overpowered, and nearly surrounded, the three regiments of Rahl, Lossberg, and Knyphausen, laid down their arms, and surrendered themselves prisoners of war—the remainder of the troops escaping with difficulty by way of Bordenton. In the evening general Washington repassed the Delawar, carrying with him the prisoners, their artillery, and colors, and entered the city of Philadelphia in triumph. The charm was now dissolved; and it being found by experience that the Europeans were not invincible, great numbers of the Americans, who had deserted their colors, again repaired to the standard of their commander, who soon found himself at the head of a considerable army, in a condition once more to cross the Delawar; and lord Cornwallis, who was actually at New York in his way to England, found himself



under a necessity of returning to the defence of the Jerseys\*.

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The English general, approaching the American army strongly posted near the town of Trenton, made immediate dispositions for an attack; but in the dead of night (January 2, 1777) general Washington silently withdrew his troops, leaving fires burning in his camp, and the usual patrols, in order to deceive the enemy; and by a circuitous march arrived by sunrise at Prince-town. Here the fourth brigade of British troops, consisting of the seventeenth, fortieth, and fifty-fifth regiments, were posted under the command of colonel Mawhood, who had just begun his march in order to join lord Cornwallis, when he fell in with the van-guard of the American army. Though engaged with a far superior force, the colonel, at the head

\* On the 1st of January, 1777, general Washington, then at Trenton, writes to congress as follows:—"I have sent into different parts of Jersey men of influence to spirit up the militia, and flatter myself, that the many injuries they have received will induce some to give their aid. If what they have suffered does not rouse their resentment, they must not possess the common feelings of humanity. To oppression, ravage, and a deprivation of property, they have had the more mortifying circumstance of insult added—after being stripped of all they had without the least compensation, protections have been granted them for the free enjoyment of their effects.



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1776. enemy—the other regiments making separate retreats by different roads: they suffered however were severely in this unequal conflict, and were in a great measure disabled for future service. General Washington distinguished himself on this occasion by singular exertions of personal valor. On this disaster, lord Cornwallis, finding himself out-manœuvred by his antagonist, abandoned his camp at Trenton, and retired with precipitation to Brunswic. The licentious ravages of the soldiery, particularly of the German mercenaries, during the time they were in possession of the Jerseys, had excited the utmost resentment and detestation of the inhabitants; and the fortune of war now seeming to turn against them, the whole country rose in arms; the militia collected in large bodies, and the British troops were every where attacked with success—at Woodbridge, at Elizabeth-town, at Newark; and the royal troops retained only the two posts of Brunswic and Amboy, both holding an open communication with New York by sea.

The dispositions made by general Howe, and indeed his whole conduct from the commencement to the conclusion of this campaign, were to persons *unskilled in the military art* totally



inexplicable, and apparently exhibited a continued series of the most egregious errors. It was remarked, that the frontier posts of Trenton, Bordenton, and Burlington, were the weakest in point of numbers in the whole line of cantonments; while the remoter posts were strengthened in proportion to the decrease of the danger. Nor were these frontier cantonments secured from the attacks of the enemy by any works of art, but left without a single redoubt or intrenchment, to which, in case of a surprise, the troops, until they could be relieved from the other posts, might retreat. The military reputation of general Washington, which was somewhat impaired by the unsuccessful and problematic operations of the former part of the campaign, was fully recovered and established by the bold and masterly movements which characterized the close of it.

In the detail of military events, the civil transactions which took place during the same interval of time must not be suffered to escape attention. On the 19th of September (1776), the commissioners of the crown, lord Howe and the general, caused a proclamation to be published, promising in his majesty's name a revision of all such instructions as might be construed to lay an improper restraint on the freedom of legislation in the colonies, and also to concur in

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the revisal of such acts by the operation of which they might think themselves aggrieved. Though it was impossible to conjecture what was really meant by a promise so vague, had a declaration of this nature been made with good faith at an earlier period of the dispute, it might doubtless have been attended with happy effects; but when a civil war had actually commenced, to indulge the most distant idea that the Americans would lay down their arms on a mere promise of a revision of the acts of that government whose authority they had renounced, was a grossly idle and puerile expectation.

In the month of October the inhabitants of the city and island of New York, then in the possession of the English, presented a petition to the commissioners, signed by nine hundred and forty-six names, declaring their allegiance to the king, and their acknowledgment of the *constitutional supremacy* of Great Britain, and praying to be restored to his majesty's peace and protection. This petition was followed by another of a similar kind from Queen's County, in Long Island; but the example afforded little encouragement to others, when it was observed that these petitions were wholly unavailing; nor were they ever restored to the rights which they had been flattered by the proclamation with the expectation of regaining. On the 30th of No-



vember another proclamation was published by the commissioners, offering a pardon and indemnity to all persons who should within the space of sixty days surrender themselves to any of his majesty's general officers, admirals, &c. and subscribe a declaration of loyalty and obedience. This proclamation being issued during the high tide of success attending the royal arms, very many persons, timid or treacherous, subscribed to the declaration accordingly; but at no time did the congress discover any symptoms of irresolution. They removed indeed their session from Philadelphia to Baltimore in Maryland, where they adopted very vigorous measures both of offence and defence. They declared the property of the subjects of Great Britain taken on the high seas to be lawful prize; they resolved upon raising eighty-eight battalions to serve during the war; they nominated three of their body, of whom Dr. Franklin was one, commissioners to the court of Versailles, to solicit aid and assistance, and to propose the plan of a treaty of friendship, commerce, and alliance; they enlarged the powers of their general, vesting in him a kind of dictatorial authority for the space of six months; and they resolved that all bills of credit emitted by congress should pass current in all transactions, and whoever refused to receive the same in the common course of

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payment should be deemed an enemy to the liberties of America, and should be treated accordingly. SUCH was the state of America at the termination of the campaign of 1776, which though late in its commencement, and short in its duration, abounded in action, and exhibited vicissitudes of fortune singularly important and interesting.

The intelligence of the successes attending the British arms on Long Island and at New York reached England some time before the meeting of parliament, which was convened October 31, 1776. In his speech from the throne, the king, with unguarded and undignified intemperance of language, informed the two houses, “that so daring and desperate was the spirit of those leaders, whose object has only been dominion and power, that they have now openly renounced all allegiance to the crown, and all political connection with this country; they have rejected, with circumstances of indignity and insult, the means of conciliation held out to them, and have PRESUMED to set up their REBELLIOUS CONFEDERACIES AS INDEPENDENT STATES. If their TREASON be suffered to take root, much mischief must grow from it to the present system of all Europe.” His majesty was happy to inform them, “that the successes already obtained had been so important as to



give the strongest hopes of the most decisive good consequences; but notwithstanding this fair prospect, it was necessary at all events to prepare for ANOTHER CAMPAIGN." Addresses, the echo of the speech, were brought forward in both houses; but an amendment, which was in reality another address in a totally different strain, was moved by lord John Cavendish in the house of Commons, and the marquis of Rockingham in the house of lords, containing a masterly recapitulation of the manifold errors of that system which had caused the entire alienation, and at length the open revolt, of so large a part of his majesty's once loyal and affectionate subjects. It concluded with the observation, "that a wise and provident use of the late advantages might be productive of happy effects, as the means of establishing a permanent connection between Great Britain and her colonies, on principles of liberty, and terms of mutual benefit.—We should look," said this truly excellent and admirable address, "with shame and horror on any events that should bow them to an abject and unconditional submission to any power whatsoever—annihilate their liberties, and subdue them to servile principles and passive habits by the mere force of foreign mercenary arms."

The speech from the throne, under the esta-



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lished and decorous pretext of its being the speech of the minister, was treated with the most contemptuous and sarcastic severity. "Where," it was asked, "are those mighty leaders to be found whom the Americans obey so implicitly, and who govern them with so despotic a rule? They have no grandees among them; their soil is not productive of nobility; in no country are there in fact so few individuals possessed of a commanding or extensive influence; the president of their supreme assembly is a merchant; the general of their armies a private gentleman. Nothing could be more evident, than that a sense of common danger and of common suffering had driven them to the necessity of creating leaders who were possessed only of such powers as the people had thought it expedient to entrust them with. In the same spirit of FALSEHOOD it is asserted, 'that the Americans had rejected with circumstances of indignity and insult the terms of conciliation offered them.' The truth was, that no terms had been offered them but the offer of pardon on unconditional submission, which the ministers well knew they would never accept; nor was even this mock offer made till the whole system of irritation and oppression was completed by the injustice and cruelty of the Capture Act, by which they were put out of the protection of the law, and their property held



out as common spoil. The position in the BOOK  
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1776. speech, so undeniably true, '*that no people ever enjoyed greater happiness, or lived under a milder government, than these now revolted colonies,*' implied the severest censure on those who had so wantonly and wickedly departed from a system which had produced such noble and wonderful effects." The expectation of unanimity from the present situation of affairs was, however, said to be of all the parts of this extravagant speech the most ridiculous. "What! shall we at last concur in measures, because all the mischiefs which we originally predicted have ultimately resulted from them? Have ministers the unparalleled effrontery to call upon us to give our sanction to that fatal system which we in vain warned and implored them to shun, and which persisted in must terminate in utter ruin?" On a division, the amendment was rejected in the house of commons by a majority of 242 to 87, and in the house of peers by 91 to 26, fourteen of whom joined in a protest, in which the proposed amendment was verbatim inserted, in order that it might remain as a perpetual memorial on the journals of that house.

In a few days after the addresses were presented, lord John Cavendish, exhibiting in the house a printed paper, purporting to be a proclamation of his majesty's commissioners in Ame-



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rica, called upon 'ministers to inform him as to the authenticity of it. This being acknowledged, his lordship expressed in the strongest terms his astonishment at the contempt and indignity offered to the house, who, through the medium of a common newspaper only, were at length informed that they stand engaged to America to undertake a revision of all those laws by which the Americans had conceived themselves to be aggrieved. Notwithstanding the resentment he felt as a member of the house at this ministerial insolence of conduct, his lordship said that he felt a dawn of joy break in upon his mind at the bare mention of reconciliation, whatever color the measures might wear that led to so desirable an event. The great object of restoring peace and unity to this distracted empire outweighed so far with him all other present considerations, that he not only would overlook *punctilios* on this account, but even such matters of real import as would upon any other occasion call all his powers into action. On these grounds his lordship moved, "that the house should resolve itself into a committee to consider of the revisal of all acts of parliament by which his majesty's subjects in America think themselves aggrieved." The ministers, though thrown by the surprise of this motion into some perplexity, alledged in their vindication, "that the paper



in question was not of *sufficient moment* to be laid before parliament, being no treaty nor part of a treaty, but barely a preliminary which might possibly lead to one. That a public proclamation, submitted to the general inspection upon the walls and houses of New York, could not however be intended to be kept from the knowledge of parliament; and they conceived the authority exercised by the commissioners to be already delegated by the act under which they derived their powers;—that, as to the motion itself, they conceived it to be highly improper, as tending to disgrace the commissioners, and defeat their endeavours to obtain the most advantageous terms for this kingdom. They also insisted, that, until the spirit of independency was effectually subdued, it would be idle and futile to enter upon any revisions; but from our late successes there was little room to doubt but that the *cruel thraldom* in which the people of America were held by the congress would be quickly dissolved, and that America would return to her duty with more eagerness and alacrity than she had entered into this revolt; and that then would be the time to talk of legislative regulations for their future government.”

This language kindled anew the indignation of the opposition. “That the most important paper published in the course of this controversy,



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containing propositions of conciliation in which the house were parties so nearly concerned, should not be thought of *sufficient moment* to be laid before them, was treated as an incredible extravagance; and to pretend that the commissioners were already authorized to engage for the revision of the laws in question, was a palpable falsehood. The act by which they were appointed empowered them only to grant pardons, and enquire into grievances; and the concurrence of the house was absolutely necessary to give effect to the proclamation. If the ministers opposed such concurrence, it was evident that the offer was a branch of that insidious and treacherous system by which they aimed to divide, while by their fleets and armies they were endeavouring to destroy and exterminate, the colonies. To say that this proclamation was not intended to be kept from the knowledge of parliament was a mockery of parliament; for how could the members of that house be supposed acquainted with the papers posted up in the streets of New York?" But the doctrine they most of all reprobated was, that an absolute and unconditional renunciation of American independence must precede the revision of the laws in question, or any redress of grievances whatever. "Upon what precedent," said they, "is this horrid maxim founded? or what code of history or



policy have our ministers made the rule of their present conduct? Philip II. of Spain, who was in his day considered as the most gloomy and unrelenting tyrant in Christendom, adopted a wiser and more moderate policy. In his wars with the revolted provinces of Holland, he repeatedly promised, in terms the most explicit and positive, the complete redress of all their grievances, without requiring a previous renunciation of their independence. But the doctrine now broached was a doctrine which led to the last extremities of human misery. It was a condition which could not be enforced without the effusion of oceans of blood, and in fact it was holding out to America the option only of SLAVERY or DEATH." The motion, after a long and passionate debate, was negatived by a majority of 62 voices; and from this time many of the opposition, chiefly of the Rockingham party, absented themselves from the house, and a clear field was left during the greater part of the session to the ministers—the vast supplies demanded by them being granted in almost empty houses, without examination or debate.

A gloomy silence prevailed, and ministers in the height of their parliamentary triumphs were ill able to counterfeit the external appearances of satisfaction. The members of the secession, in vindication of themselves, urged, "that there

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was no saving a people against their will; that they had for a succession of years apprised and warned the nation of the dangers attending those ruinous measures which it was pursuing, and of the fatal precipice that must terminate this mad ministerial career—it was too degrading to be the continual instruments of opposing the ineffective weapons of reason and argument to a system of predetermined irritation and violence—that as good and bad success were equally urged, and alike admitted, as motives for a perseverance in this course, it was not the part of wisdom to strive with impossibilities, or to draw upon themselves the odium of their fellow-citizens by an ineffectual attempt to serve them—that they would therefore reserve their exertions for a season when the present national delirium had so far abated as to afford some hope of advantage.”

Soon after the recess, the minister, depending perhaps on the present indisposition of the minority to contest any point whatever with the court, introduced a bill to enable his majesty to secure and detain persons charged with or SUSPECTED of the crime of high treason committed in America, or on the high seas. With such negligent latitude, or, to speak more justly, with such treacherous artifice of construction, was this bill framed, that, by the enacting clauses, the crown



was enabled, *at it's pleasure*, to commit any person resident in any part of the British dominions to custody, without bail or main-prize, under his majesty's sign manual, in any place of confinement situate in Great Britain or ELSEWHERE. For though the act of treason, according to the proposed bill, must be committed in America, the crown lawyers and the *king's friends* maintained, and cases were quoted to prove, that such treasonable act might be perpetrated by persons who had never been out of the kingdom, if it's operation could be subsequently shewn to extend to America. Thus was the Habeas-Corpus Act, that great bulwark of British liberty, completely annihilated by a vile and infamous construction of law, which left it in the power of the crown to apprehend on the slightest suspicion, or pretence of suspicion, any individual against whom the vengeance of the court was meant to be directed; and to convey them beyond the seas to any of the garrisons in Africa or the Indies, far from all hope or possibility of relief. The alarm occasioned by this bill brought back the members of the opposition to the house, and a most resolute, vigorous, and animated resistance was made to it in every stage of its progress. At length the minister, who really appears not to have been thoroughly apprised of the nature of the bill, and of the dreadful ex-



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tent of the powers vested by it in the crown, frankly and explicitly disavowed as to himself all design of extending the operation of the bill beyond its open and avowed objects. He said, "that the bill was intended for America, and not for England; that, as he would ask for no power that was not wanted, so he would scorn to receive it by any covert means; and that, far from wishing to establish any unconstitutional precedent, he neither sought nor wished any powers to be vested in the crown or its ministers which were capable of being employed to bad or oppressive purposes." He therefore agreed to receive the amendments proposed; the principal of which were in substance: 1. That the clause empowering his majesty to confine such persons as might be apprehended under this act *in any part of his dominions*, should be modified by the insertion of the words, "within the realm;" and 2dly, That an additional clause or proviso be inserted, "that nothing in this act shall be construed to extend to persons resident in Great Britain." These concessions gave extreme offence to the leaders of the high prerogative party, who had zealously defended the bill in its original state, and who now exclaimed, "that they were deserted by the minister in a manner which seemed calculated to disgrace the whole measure, to confirm all the charges and surmises of their ad-



versaries, and to fix all the odium upon them." BOOK  
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And it was indeed sufficiently evident, from the 1777.  
whole conduct of the business, that the minister,  
on this as on other occasions, was not admitted  
into the inmost recesses of the royal cabinet.

On the 9th of April, 1777, a message was delivered by the minister from the king, in which his majesty expressed his concern in acquainting the house with the difficulties he labored under from the debts incurred by expences of the civil government, amounting on the 5th of January preceding to upwards of 600,000*l*. And the house on this message resolving itself into a committee of supply, the minister moved, "That the sum of 618,000*l*. be granted, to enable his majesty to discharge the debts of the civil government; and that the sum of 100,000*l*. per annum, over and above the sum of 800,000*l*. be granted as a farther provision for the same." This gave rise to a vehement debate. It was affirmed to be a measure of the grossest impropriety and indecency to bring forward such a demand in such a season of national distress and calamity; when burdens are accumulated upon burdens, to tell a people already sinking under their load, that the grandeur of the crown is not sufficiently supported, and that an increase of taxes is necessary in order to increase its splendor! But even this plea, however inade-



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quate to the justification of ministers, was far remote from the truth. It was notorious that the debt had been incurred in carrying on and supporting a system of corruption; in obtaining that baneful and unbounded influence which had swept every thing before it; which had brought the nation to the brink of destruction, and had deprived us in a very great measure of all the benefits derived from a limited government. The harsh and stern voice of prerogative was indeed no longer heard; but the danger was much greater from the silent progress of a malady, which, though slower, was far more certain. They said, that the debts of the crown had been not many years since discharged without account, to the amount of more than half a million. What is the consequence? Another and larger demand is made, and a vast annual increase asked, without even the wretched security of ministerial promise, that new debts will not be contracted, and new augmentations demanded. They observed, that on a comparison of the expenditure of the last eight years with a similar period terminating the reign of the late king, the excess of the article of pensions would be found to amount to 213,000*l.* and that the increase in the article of secret service was yet more enormous. In two lines only, the sums of 171,000*l.* and 114,000*l.* were charged for secret



services, issued under the direction of the *secretaries of the Treasury*. That money should be entrusted to the secretaries of state, for the purpose of procuring foreign intelligence, must doubtless be acknowledged necessary; but that the subordinate officers of the Treasury, who can have no public connection beyond their own office, should be the avowed irresponsible agents for the unlimited disposal of the public money, was indeed alarming, and left no room for doubt as to its design or application. Above half a million was stated under the head of the Board of Works, though no one could conjecture in what palace, park, garden, or royal work of any kind, the money had been expended; nor were any vouchers produced by which the house could form a judgment of the propriety of any branch of the expenditure. It appeared only upon the whole, that under every head the expence was infinitely increased, while the external splendor of royalty was in the same proportion diminished. The accounts laid upon the table stated the annual allowance for the privy purse to be raised from 48,000*l.* in the late reign to 60,000*l.*; and, what was much more extraordinary, it appeared that the queen's privy purse was fixed at 50,000*l.* although queen Anne, reigning as sovereign in her own right, had contented herself with an allowance of 20,000*l.*—even out of this moderate



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sum, as the duchess of Marlborough informs us, “ saving money ; for, though very charitable, she was never expensive, *made no foolish buildings, nor bought one jewel in the whole course of her reign.*”—Such nevertheless was the unlimited complaisance of parliament, that the demands of the minister were granted almost without the formality of a division*.

The opposition in the house of lords was equally unavailing. The bill was, however, accompanied with a strong protest ; but the most remarkable circumstance attending it was the speech made by the speaker of the house of commons to his Majesty, on presenting it a few days afterwards for the royal assent. “ In a time, SIRE,” said he, “ of public distress, full of difficulty and danger, their constituents laboring under burdens almost too heavy to be borne, your faithful commons, postponing all other business, have not only granted to your majesty a large present supply, but also a very great additional revenue, great beyond example, great

* “ When we see, says a humorous writer, “ the print of GARAGANTUA, that has a mouth as large as an oven, and swallows at one meal twelve hundred pounds of bread, twenty oxen, a hundred sheep, six hundred fowls, fifteen hundred hares, two thousand quails, a thousand barrels of wine, six thousand peaches, &c. &c. &c. who does not say : THAT is the mouth of a KING ?”

beyond your majesty's highest expence ; but all this, SIRE, they have done in the *well-grounded confidence*, that you will apply wisely what they have granted liberally." The countenance of the king plainly indicated how little acceptable was this unexpected liberty. On the return of the speaker and the attendant members, the thanks of the house were nevertheless immediately voted him ; yet not without exciting the secret and acrimonious resentment of the *king's friends*, or prerogative party ; one of whom, Mr. Rigby, took occasion in a subsequent debate to arraign the conduct of the speaker with unusual vehemence, as conveying little less than an insult on the king, and as equally misrepresenting the sense of parliament and the state of the nation. The sentiments delivered at the bar of the other house, he said, were not those of the house of commons ; he for one totally disclaimed them ; and he had no doubt but the majority of the house thought with him. The speaker appealed to the vote of thanks which had been passed, as a proof that he had not been guilty of the misrepresentation imputed to him : and the minister, uneasy at the altercation, intimated his wish that the subject might not be farther discussed. But Mr. Fox, immediately rising, declared, " that a serious and direct charge having been brought, the question was now at issue. Either the speaker

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had misrepresented the sense of the house, or he had not. He should therefore, in order to bring this question to a proper and final decision, move, That the speaker of the house, in his speech to his majesty at the bar of the house of peers, did express with just and proper energy the sentiments of this house." The speaker himself declared, "that he would sit no longer in that chair than he was supported in the free exercise of his duty. He had discharged what he conceived to be his duty, intending only to express the sense of the house; and from the vote of approbation with which he had been honored, he had reason to believe he was not chargeable with any misrepresentation." The ministers now found themselves involved in a most unpleasant dilemma, and in pressing terms recommended the withdrawment of the motion. This being positively refused, Mr. Rigby moved for the house to adjourn. But the house appearing evidently sensible of the degradation which its dignity must sustain from any affront offered to the chair, he at length thought fit in some degree to concede; and professed, "that he meant no reflection upon the character of the speaker, but that what he had said was the mere expression of his private opinion, and the result of that freedom of speech which was the right and privilege of every member of that house, without respect of

persons ; and that, if what he had advanced was not agreeable to the sense of that house, he would readily withdraw his motion of adjournment :” which being done, Mr. Fox’s motion was unanimously carried ; and, to complete the triumph, the thanks of the house to the speaker for his conduct in this affair were also moved, and agreed to without opposition.

The session being now near its close, lord Chatham, unwilling that it should pass over without some public testimony of his unutterable abhorrence of the war which now distracted and convulsed the empire, and of the principles and conduct of those men whose weak and wicked counsels had involved the nation in its present calamities, attended the house of peers on the 30th of May, wrapped in flannels, and bearing a crutch in each hand. At the risk of his health, and perhaps of his life, this great statesman presented himself thus oppressed with infirmities, for the purpose of moving their lordships, who had been previously summoned, “ That an humble address be presented to his majesty, most humbly to advise his majesty to take the most speedy and effectual measures for putting a stop to the present unnatural war against the colonies, upon the only just and solid foundation, namely, the removal of accumulated grievances.” His lordship said, that he had at different times

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made different propositions, adapted to the circumstances in which they were offered. The plan contained in the former bill was at this time he confessed impracticable. “The present motion will open the way for treaty. It will be the harbinger of peace, and will convince the Americans, that parliament is sincerely disposed to reconciliation. We have tried for unconditional submission—let us now try what can be gained by unconditional redress. The door of mercy has been hitherto shut against them: you have ransacked every corner of Germany for boors and ruffians to invade and ravage their country; for to conquer it, my lords, is impossible—you CANNOT do it. I may as well pretend to drive them before me with THIS CRUTCH. I am experienced in spring hopes and vernal promises, but at last will come your equinoctial disappointment. But were it practicable by a long continued course of success to conquer America, the holding it in subjection afterwards will be utterly impossible. No benefit can be derived from that country to this, but by the good-will and pure affection of the inhabitants: this is not to be gained by force of arms; their affection is only to be recovered by reconciliation and justice. If ministers are founded in saying, that no engagements are entered into by America with France, there is yet

a moment left; the point of honour is still safe; a few weeks may decide our fate as a nation. Were America suffered to form a treaty with France, we should not only lose the immense advantages resulting from the vast and increasing commerce of our colonies, but those advantages would be thrown into the hands of our hereditary enemy. America, my lords, is now contending with Great Britain under a MASKED BATTERY of France, which will open as she perceives this country to be sufficiently weakened by the contest. France will not lose so fair an opportunity of separating for ever America from this kingdom. This is the critical moment—for such a treaty must and will take place, should pacification be delayed; and war between England and France is not the less probable because professions of amity continue to be made. It would be folly in France to declare it now, while America gives full employment to our arms, and is pouring into her lap her wealth and produce. While the trade of Great Britain languishes, while her taxes increase and her revenues diminish, France is securing and drawing to herself that commerce which is the basis of your power. My motion was stated generally, that I might leave the question at large to the wisdom of your lordships. But, my lords, I will tell you fairly what I wish for—I wish for a repeal of

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every oppressive act passed since 1763 ; I would put America precisely on the footing she stood at that period. If it be asked, Why should we submit to concede ? I will tell you, my lords : Because you have been the aggressors from the beginning ; you ought, therefore, to make the first overture. I say again, my lords, you have been the aggressors, you have made descents upon their coasts, you have burned their towns, plundered their country, made war upon the inhabitants, confiscated their property, proscribed and imprisoned their persons ;—you have injured, oppressed, and endeavoured to enslave them. America is therefore entitled to redress. Let then reparation come from the hand that inflicted the injuries ; let conciliation succeed to oppression ; and I maintain, that parliament will again recover its authority ; that his majesty will be once more enthroned in the hearts of his subjects ; and that your lordships, as contributing to so great, benignant, and glorious an event, will receive the prayers and benedictions of every part of the British empire.”

The peers in administration repeated upon this occasion their accustomed arguments against concessions of any kind, as an acknowledgment of weakness on our part, which would excite the contempt of our friends, and foster the malice of our enemies. They positively denied any

danger from France, and asserted, that “ the assistance given to the Americans proceeded neither from the court nor the ministers, but from the spirit of military enterprise and commercial adventure; and finally, that the motion arraigned in the most improper terms measures which had received the sanction of parliament.” On a division, the numbers were 99 to 28 peers who supported the question.

On the 7th of June, 1777, the session was terminated, and his majesty expressed in his speech his entire approbation of the conduct of parliament, lavishing upon them high and flattering compliments for the unquestionable proofs they had given of their CLEAR DISCERNMENT of the TRUE INTERESTS of their COUNTRY. The pride and presumption of the court seemed at this period to have no bounds or limits. The American government having a very considerable number of British prisoners in their possession, applied during the spring of the present year, through the medium of Dr. Franklin, resident of the United States at Paris, to lord Stormont, ambassador from the king of England, to exchange them for an equal number of Americans. To which his lordship made this memorable answer: “ The king’s ambassador receives no application from rebels, unless they come to implore his majesty’s mercy.” Thus wantonly and

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wickedly were the horrors of war deepened, and thus the eternal principles of justice and mercy sacrificed to the barbarous and wretched etiquette of a court.

During the session a memorial in a very unusual style had been delivered by sir Joseph Yorke, ambassador at the Hague, to the States General, in which his excellency declared, “ That the king, his master, had hitherto borne with unexampled patience the irregular conduct of the subjects of their high mightinesses, in their interested commerce at St. Eustatia, as also in America. If, said the ambassador, the measures which your high mightinesses have thought proper to take, had been as efficacious as your assurances have been amicable, the undersigned would not now have been under the necessity of bringing to the cognizance of your high mightinesses facts of the most serious nature. His excellency then proceeds to state, that M. Van Graaf, governor of St. Eustatia, had permitted the seizure of an English vessel, by an *American pirate*, within cannon shot of the island; and that he had returned from the fortress of his government the salute of a rebel flag: and the ambassador concludes with demanding, in his majesty’s name, and by his express order, from their high mightinesses, a formal disavowal of the salute by Fort Orange at

St. Eustatia to the rebel ship, and the dismissal and immediate recall of the governor Van Graaf; declaring farther, that until such satisfaction is given they are not to expect that his majesty will suffer himself to be amused by mere assurances, or that he will delay one instant to take such measures as he shall think due to the interest and dignity of his crown.

The States, highly offended at the imperious language of this memorial, would give no answer whatever to the ambassador, but ordered count Welderen, their resident in London, to deliver into the king of England's own hand a counter-memorial, in which they complain of the menacing tone that reigns throughout that of the English court, such as ought not to take place between sovereign and independent powers; adding, however, "that from the sole motive of demonstrating their regard to his majesty, they have actually dispatched orders to M. de Graaf to render himself within the republic without delay, in order to give the necessary information respecting his conduct; nor do they scruple to disavow, in the most express manner, any act or mark of honour which may have been given by their officers to any vessels belonging to the colonies of America, so far as it may imply a *recognition of American independence*." The king thought proper to declare

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himself satisfied with these concessions, but the utmost coolness from this time subsisted between the courts of London and the Hague.

The acrimony displayed on this occasion by the former may be without doubt imputed in a great degree to the extreme offence taken, previous to the interchange of these memorials, at the refusal of the States to part with the *Scots brigade* in their service, at the desire of the king of England, signified by a letter written to their high mightinesses in his own hand. “In what an odious light must this unnatural civil war appear to all Europe!” said one of the deputies of the province of Overijssel, M. Vander Capelle, in the debate which arose on this subject. “More odious still would it appear for a nation to take part therein who have successfully resisted oppression, and fought themselves free. Superlatively detestable must it appear to those who, like me, regard the Americans as a brave people, engaged in defending those rights which they derive from God, not from the legislature of Great Britain. For the purpose of suppressing such a revolt, or, as some please to call it, such a rebellion as this, I had rather see janissaries hired than the subjects of a free state.”

HISTORY
OF
GREAT BRITAIN.

GEORGE III.

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MILITARY Operations in the Jerseys. General Howe's Expedition to the Chesapeak. Victory at the Brandywine, and Capture of Philadelphia. Second Engagement at German-town. Success on Lake Champlain. General Burgoyne takes Ticonderoga—Arrives at the North River. Disasters at Bennington and Fort Stanwix. Distress and final Surrender of Burgoyne's Army. Session of Parliament—Motion of Lord Chatham. Mr. Fox's second Motion of Enquiry—carried. Motion relative to the Canada Expedition by Lord Chatham. Proceedings of the Committee of Enquiry. Lord North's second Plan of Conciliation. Hostile Declaration of France. Death of the Earl of Chatham. Discontents in Ireland. Act for the Relief of the Roman-Catholics. The Minority gains Strength. Failure of Lord North's second Plan of Conciliation. General Howe resigns his Command to Sir Henry Clinton. Battle of Monmouth Court

House—Disgrace of General Lee. Arrival of the French Fleet off the Delawar. Lord Howe's able Conduct and subsequent Resignation. Count d'Estaing's unsuccessful Attack at St. Lucia. Destruction of the Settlement of Wyoming. Conquest of Georgia under General Prevost. Indecisive Engagement with the French Fleet off Ushant. Trial and Acquittal of Admiral Keppel. Trial and Disgrace of Sir Hugh Palliser. Motion of Lord Rockingham respecting the American Commissioners. Mr. Fox's Motion of Censure on Lord Sandwich. Bill for enlarging the Toleration Act. Memorable Speech of Shipley, Bishop of St. Asaph. Ineffectual Efforts in Parliament for the Relief of Ireland. Motion by Mr. Fox for the Removal of Lord Sandwich. Committee of Enquiry respecting the Conduct of the American War. Motion by the Earl of Bristol for the Removal of Lord Sandwich. Hostile Declaration of Spain. Dissensions in the Cabinet. Lord Thurlow succeeds Lord Bathurst as Chancellor of Great Britain. Invasion of South Carolina by General Prevost. Alternate Successes of the American and British Armies. Capture of St. Vincent's and Grenada by the French. Count d'Estaing repulsed at Savannah. Charlestown taken by Sir Henry Clinton. The combined Fleets of France and Spain enter the Channel. Alarming Situation of Ireland. Serapis Man of War taken by Captain Paul Jones. Misunderstanding between the Courts of London and the Hague. Pondicherry captured by the English. Senegal taken by the French.

THE CAMPAIGN of 1777, in America, commenced early in the spring by the destruction of a considerable magazine of stores at a place called Courtland-Manor, on the banks of the

North River, by a detachment under colonel Bird ; and another at Danbury, by another corps conducted by general Tryon, late governor of New York, who was attacked on his return by a large body of provincials, led by colonel now general Arnold, and suffered great loss in his retreat. Arnold on this as on all occasions distinguished himself by acts of extraordinary personal valor. His horse being shot under him, he with difficulty disengaged himself; and seeing a soldier at the same moment with a fixed bayonet advancing towards him, he drew out a pistol and shot him dead on the spot. The Americans on their part retaliated by an attack on the English post and magazine at Saggs Harbour, in Long Island, where they destroyed a large quantity of stores, and burnt a number of sloops and other vessels lying in the harbour, with inconsiderable loss; colonel Meigs, who commanded the detachment on this service, returning to his former station at Guilford in Connecticut, after traversing an extent of ninety miles by land and water in the space of twenty-five hours. Lord Cornwallis continued in his station at Amboy, watched and straitened in a manner which exposed the troops to the hardships of a most severe and unremitting duty, though lately strengthened by a brigade of British, and some companies of grenadiers and light

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infantry from Rhode Island. The order for these troops was sent by general, now SIR WILLIAM HOWE (the blushing honors of the Bath having been recently conferred upon him in reward of his services,) to lord Percy, in the absence of general Clinton. His lordship did not immediately comply, but returned for answer, “that the enemy were collecting a large force near Providence, with which circumstance he supposed general Howe to be unacquainted:” adding, “that he thought it his duty to represent the danger that might result from sending away so large a corps.” General Howe replied, “that lord Percy knew the consequence of disobedience of orders—trial by court-martial and certain sentence of being broke—and insisted upon his orders being punctually obeyed.”

From some extraordinary and unaccountable negligence, the army at New York were not able to take the field till June, for want of tents and camp equipage; which at length arriving, general Howe passed over in full force into the Jerseys, with a fixed intention if possible to bring the American commander to a general action; but on approaching his camp at Middlebrook, it was found absolutely inaccessible, from the nature of its situation and its artificial defences. Every manœuvre was practised by the English general to induce his antagonist to

relinquish this advantageous station, but in vain. A feint was made of leaving the American army in the rear, and marching directly to the Delaware; but the American *FABIUS* was not to be deceived. "Had their design," said he, in his letter of the 17th of June, "been in the first instance to cross the Delaware, they would probably have made a straight rapid march towards it, and not have halted as they have done to awaken our attention, and give us time to make every preparation for obstructing them." At length general Howe decamped suddenly in the night of the 20th, and retreated to Brunswick. "I am inclined to believe," says general Washington in his dispatch of the same date, "that general Howe's return thus suddenly made, must have been in consequence of the information he received, that the people were in and flying to arms in every quarter to oppose him." On the 22d he fell back to Amboy, being much harrassed in his whole line of march by the advanced parties of the enemy. General Washington himself, quitting his strong camp at Middlebrook, moved with his army to Quibble-town, that he might be nearer the royal forces, and might act according to circumstances. The English commander, who had actually thrown a bridge over the channel which separates the continent from Staten Island, and part of whose

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troops had already past over, now made a rapid march by different routes back into the Jerseys, in the hope of surprising general Washington at Quibble-town ; but on the first intelligence of this movement, the American general, penetrating the design, re-possest himself of his former strong position at Middlebrook :—and knowing that lord Cornwallis, at the head of a strong detached corps, was advancing by a circuitous route to the right, he fortified the passes of the mountains on that side of his camp ; so that lord Cornwallis, who had defeated in his march a considerable body of the enemy under lord Sterling, and who hoped to have co-operated with general Howe by securing the passes in the rear, was compelled reluctantly to retire.

The whole plan of attack being thus frustrated, general Howe came to a second and final resolution of evacuating the Jerseys ; and, in both his retreats, such havoc, spoil, and ruin, were made by the forces under his personal inspection and command, as were well calculated to obviate the suspicion that any secret partiality to America yet remained in the breast of the English general.

A great part of the summer had now elapsed, and the primary object of the campaign had proved wholly abortive. In vindication of the conduct of sir William Howe it was alleged,

that to bring the enemy to action was impossible ; and to advance to the Delawar, through a country entirely hostile, and with such a force in his rear, would be no better than *madness*. But if so, the war itself was evidently no better than *madness*, as these difficulties were precisely such as they had every reason previously to expect. Another project, however, was now to be tried, and preparations were made for a grand naval expedition. On the 23d of July the whole army, leaving only a sufficient force for the defence of New York, embarked on board the fleet, and after a long and tedious voyage, as might be expected from the periodical prevalence of the southerly winds, the troops were landed at Elk Ferry, at the head of Chesapeak Bay. General Washington, who after being for many weeks kept in anxious suspense as to the destination of the British army, had recently passed the Delawar*, upon this intelligence took possession of the heights on the eastern side of the river Brandywine, which

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* “ The Amazing advantage the enemy derive from their ships and the command of the water, keeps us in a state of constant perplexity and the most anxious conjecture. We are not yet informed of their destination, nor can any plausible conclusions be drawn respecting it. What renders the matter still more difficult and confused, is their extreme inactivity and delay.”—Vide *Washington's Letters*, (July 25.)

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falls into the Delawar below Philadelphia, with an intention to dispute the passage. By day-break on the 11th of September the British army advanced in two columns: the right, commanded by general Knyphausen, marching directly to Chad's Ford; and the other column, under lord Cornwallis, taking a circuit to the left, in order to cross the *forks* of the Brandywine, and attack the enemy on the right flank. Both were in a considerable degree successful; the first after a severe conflict forcing the passage of the ford, and the latter surprising and totally discomfiting the brigades commanded by Sullivan, which composed the right wing of the American army. The approach of night prevented the royal army from pursuing its advantages, and the loss of the Americans did not exceed thirteen hundred men in killed, wounded, and prisoners, to which that of the British bore a very large proportion. The marquis de la Fayette, a young French nobleman, who had recently entered as a volunteer into the American service, and count Pulawski, a native of Poland, distinguished themselves by their gallantry on this occasion. General Washington, on the disaster of Brandywine, retreated towards Philadelphia; but on the advance of general Howe, not deeming it expedient so soon to risk a second engagement, he withdrew, and the English

army passed the Schuylkil without opposition ; and on the 26th of September general Howe entered Philadelphia in triumph, the congress having previously removed their sittings to York town in Virginia. About the same time a detached corps of Americans, commanded by general Wayne, was surprised and totally routed by major-general Grey, at the head of two regiments and a body of light-infantry. The attack being made with fixed bayonets, the execution was terrible.

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No sooner was it known to lord Howe that the English army was in possession of Philadelphia, than he moved round with the fleet from the Chesapeak to the Delawar, the navigation of which the Americans had endeavoured to render impracticable by works and batteries constructed on a low marshy island, formed near the junction of the Delawar and the Schuylkil ; and on the opposite shore, by a strong fort erected at a place called Red Bank. Across the mid-channel they had in various parts sunk vast machines, composed of transverse beams firmly united and pointing in various directions, strongly headed with iron, to which, from the resemblance of form, the appellation was given of *chevaux-de-frize*. The head-quarters of the army at this time were at a place called German-town, six miles from Philadelphia—the encampment cross-

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ing the village at right angles about the centre. General Washington, who was posted in a strong position at the distance of about sixteen miles on the banks of the Schuylkil, and who had kept a watchful eye on the movements of the enemy, thinking this a favorable opportunity of attack, decamped in the evening of the 3d of October, and, marching all night, arrived at three in the morning at German-town. The fortieth regiment, commanded by colonel Musgrave, who were first attacked, made so gallant a resistance, that the whole army had time to form; and major-general Grey bringing up the left wing by a rapid and seasonable movement, the Americans were reduced to act on the defensive, and, after a conflict maintained for several hours in darkness and confusion, were compelled to retreat, but with so little loss, that they carried off with them their whole train of artillery. Though the disappointment of the enemy was great, the English commander had little reason to boast of his victory; the killed and wounded in this engagement considerably exceeded the loss of Brandywine; and it was perceived with sensible chagrin, that the Americans had become no mean proficient in the art of war.

A necessary work of very great importance and no small difficulty was now to be attempted,

in the attack of the works at Red Bank and the opposite island, which commanded the passage of the Delawar, without the free navigation of which neither fleet nor army could winter at Philadelphia. On the 22d of October an effort was made, by a numerous body of Hessians, commanded by colonel Donop, to storm the fortress of Red Bank; but, after displaying much bravery, they were repulsed with prodigious slaughter, their gallant leader being himself mortally wounded. An unusually fierce attack was at the same time made by the shipping on the works of Fort Island, on which they made little impression; and the Augusta man of war, and Merlin sloop, in avoiding the *chevaux-de-frize*, were stranded, and the Augusta by accident blown up. On the 15th of November the attack was renewed with a more formidable force; and the works being now nearly demolished, the garrison retired in the night across the river in boats to Red Bank, which was also soon afterwards evacuated, not being judged tenable after the loss of the island. The *chevaux-de-frize* were now weighed with great difficulty, and the free navigation of the river restored; but winter was by this time approaching, the season for action had elapsed, and no farther military or naval enterprises of moment were attempted during the short remainder of the campaign. General

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Washington was permitted to retain his positions at Whitemarsh and Valley Forge for several successive months, at no greater distance than about 16 miles from Philadelphia, which appeared in a manner invested by the American army; although that army was often destitute of common necessities, and exposed to the severest hardships. But the prediction of the sagacious Franklin was now clearly verified, "that sir William Howe had not taken Philadelphia, but that Philadelphia had taken sir William Howe."

While such was the disappointment resulting from a succession of victories in the south, it will now be necessary to advert to the terrible consequences of defeat and disaster in the north. After the evacuation of Canada by the Americans, in the summer of 1776, incredible exertions were made on the part of the English to acquire a naval superiority on Lake Champlain, so necessary to the success of their future projects. A fleet of above thirty vessels, all carrying cannon, was in about three months little less than created, though a few of the largest were re-constructions, having been first framed and sent over from Great Britain. The American fleet, though not inconsiderable, was by no means equal to cope with this great force. It is remarkable that the two fleets were commanded by land-officers;

general Carleton and general Arnold being equally ambitious to support on a new element the reputation they had acquired by their military skill and conduct.

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Early on the 11th of October, 1776, the British armament, proceeding up the Lake, discovered the enemy's fleet drawn up with great judgment, in a line extending from the island of Valicourt to the western main. A warm action ensued, in which the Americans, notwithstanding the extraordinary courage and intrepid efforts of their commander, were entirely defeated. General Arnold was under the necessity of setting fire to his own ship, the Congress galley, to prevent her falling into the hands of the English, not quitting her however till she was actually in flames ; and, with nice and dangerous attention to the point of honor, keeping his flag flying to the last moment. Thus was Lake Champlain recovered, the enemy's force being nearly destroyed—a few small vessels only making their escape to Ticonderoga. Crown Point, on this disastrous event, was immediately abandoned, and the American force concentrated at Ticonderoga ; which being adjudged too strongly defended to be attacked with success at this advanced season, general Carleton now put his troops into winter cantonments in Canada.

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In all the complex and hazardous operations of the Canadian war, general Carleton had conducted himself with equal judgment, vigor, and success, and his generous and humane treatment of the prisoners which had fallen into his hands formed a striking contrast to the barbarity which pervaded the military prisons of New York. Of the Indians in his service general Carleton had made a very sparing use, and at the end of the campaign they were dismissed on a general promise of returning when called for. But it was believed that he had, in his dispatches to England, strongly remonstrated against the employment of savages in any shape whatever in the farther prosecution of this war. Whether on this or on other accounts offence was taken at his conduct, cannot certainly be known; but, to the surprise, and no doubt to the chagrin, of the governor, general Burgoyne, who had passed the winter in England, arrived early in the spring of 1777 in America, with a commission appointing him general of the northern army beyond the limits of the province of Canada.

The plan of the intended expedition southward of the Lakes had been entirely concerted between the American secretary and general Burgoyne, who, to use his own courtly language, "had thrown himself at his majesty's FEET, to

be employed in any way that he thought proper*." In pursuance of this plan, general Burgoyne proceeded up Lake Champlain, and landed a little to the northward of Crown Point, where he met the Indians in congress, and in compliance with their customs gave them a WAR FEAST; and in an harangue which he afterwards made to these savages, he endeavoured to excite their ardor, and at the same time to repress their barbarity—incompatibilities which no art or eloquence could hope to reconcile. This was followed (June 1777) by a manifesto, in which the general, in language approaching the oriental style of exaggeration and bombast, strove to inspire the Americans with terror, by a representation of the irresistible force which he commanded, and to awe them into submission by menaces, which produced no other effect than,

* This is such a mode of expression as might become the mouth of a Persian satrap, in addressing a Sha Abbas or a Sha Nadir; unworthy of a mind ennobled by the conscious sense of freedom, virtue, and dignity!

“ Go, vassal souls! Go cringe and wait,
Bend when he speaks, and KISS the GROUND;
Adore the follies of the Great,
Ye base-born minds! But as for me,
I can and will be free:
My soul grows firm upright:
Let slaves and asses stoop and bow;
I cannot make this stubborn knee
Bend to a meaner power than that which formed it free.”

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by exciting their utmost resentment and detestation, to rouse them more strongly into action*.

After a short stay at Crown Point the army proceeded under convoy of the shipping on the Lake to Ticonderoga, a post of uncommon natural strength, and rendered famous by the disastrous attack made upon it by general Abercrombie in the preceding war. Here the Americans appeared to be in great force, and they had bestowed infinite labor in repairing the old works and in adding new, so that the siege of

* Such was the sanguine and savage spirit which breathed throughout this famous proclamation, unparalleled except in ONE very recent instance, that the following lines from Shakespeare's *Timon of Athens* were not unhappily applied to it as a kind of comment or paraphrase :

“ ————— Let not thy sword skip one.
Pity not honored age for his white beard.
Strike me the matron—Let not the virgin's cheek
Make soft thy trenchant sword—Spare not the babe
Whose dimpled smiles from fools exhaust their mercy :
Mince it without remorse.”

The style and phraseology of this strange declaration seem modelled upon those of *Antient Pistol*. A slight specimen will evince how contemptible it is in a literary, how detestable in a political view. “ In consciousness of Christianity,” thus it concludes, “ my royal master's clemency, and the honor of soldiership, I have dwelt upon this invitation, and wished for more persuasive terms to give it impression. And let not people be led to disregard it, by considering their distance from the immediate situation of my camp. I have but to give stretch to the Indian forces under my direction, and they

this fortress was considered as an enterprise of great hazard and difficulty; but, on the first approach of the English, it was suddenly and unaccountably evacuated by the garrison on the night of the 5th of July, by direction of the commander General St. Clair, leaving behind them their artillery, provisions, and stores. No sooner had the first dawn of the morning discovered the flight of the enemy, than preparations were made for a vigorous pursuit both by land and water. The main body of the Americans

amount to thousands, to overtake the hardened enemies of Great Britain and America. I consider them the same wherever they may lurk. If, notwithstanding these endeavours and sincere inclination to effect them, the phrensy of hostility should remain, I trust I shall stand acquitted in the eyes of God and man, in denouncing and executing the vengeance of the state against the wilful outcasts. The messengers of justice and of wrath await them in the field; and devastation, famine, and every concomitant horror that a reluctant but indispensable prosecution of military-duty must occasion, will bar the way to their return."—General Burgoyne, at the head of the northern army, engaged in this impious warfare against liberty, may be compared to Crassus marching out of the gates of Rome on his unjust expedition against the Parthians, upon whom, at the moment of his departure, we are told that Atteius, the Roman tribune, arrayed in the consecrated vestments used in the dreadful ceremonies of the auspices, and scattering incense from the sacred vessels, denounced curses and execrations, solemnly devoting his legions to utter and remediless destruction.

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were quickly overtaken and entirely defeated by general Frazer; and their remaining naval force, which had rendezvoused at Skenesborough, was destroyed by general Burgoyne. The fugitive Americans retreated with the utmost precipitation to Fort Edward, on the North or Hudson's River, where general Schuyler, commander in chief of the American northern army, had fixed his head-quarters.

The British army, highly elated at the rapid series of successes which had hitherto attended them, now exerted indefatigable industry in clearing the Wood Creek, which is a continuation of Lake Champlain, from the obstacles which impeded the passage of the batteaux; and in conveying gun-boats, provision-vessels, and batteaux, over land into Lake George. From Fort Anne, at the extremity of the Wood Creek, where the batteaux-navigation ends, to Fort Edward, a distance scarcely exceeding twenty miles, the difficulties attending the march of the army were inconceivably great. In this short space they had no less than forty bridges to construct, one of which was over a morass two miles in extent, and the roads were every where obstructed by large timber trees laid across with their branches interwoven. The heavy train of artillery which accompanied the army was also found a great incumbrance, and it was not

without infinite labor and perseverance that on the 30th of July general Burgoyne fixed his headquarters at Fort Edward—the Americans having now retired to Saratoga. The joy with which the sight of the North River, so long the object of their hopes and wishes, inspired the army, seemed to be considered as an ample compensation for all their labors; and with unremitted ardor they now bent all their efforts to bring forward provisions and stores from Fort George, at the extremity of the lake of that name, sufficient to form a magazine for the subsistence of the troops in their march through the wild and uncultivated country they had yet to traverse. So ineffectual, however, were their utmost exertions, that on the 15th of August they had only four days' provisions in store; and the general understanding that a large magazine was collected at Bennington, twenty miles to the eastward of Hudson's River, for the use of the enemy, he detached colonel Baum at the head of about five hundred men to surprise the place: at the same time moving with the whole army up the eastern shore of Hudson's River, he encamped nearly opposite to Saratoga. The colonel, finding his destination discovered, and his force wholly insufficient to the purpose, took post at a small distance from Bennington, whence he communicated intelligence of his situation to

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general Burgoyne, who dispatched colonel Breyman with about an equal force to his assistance. The provincial general, Starke, who commanded the militia of the district, determined however to lose no time in attacking the first party before any reinforcement should arrive; and the provincials surrounding on every side the small corps of colonel Baum, forced their entrenchments, made themselves masters of their cannon; and after a brave resistance, in which many were killed or wounded, the rest surrendered themselves prisoners. Colonel Breyman, who had no suspicion of this event, arrived nearly at the same spot on the evening of the same day: he was attacked with the same resolution, and with much difficulty effected a retreat, with the loss of his artillery, and with ranks dreadfully diminished. This was a heavy and unlooked-for stroke. In the mean time colonel St. Leger, who commanded a separate corps on the Mohawk River, and had, in conjunction with colonel Johnson and a great body of Indians who committed their accustomed horrid ravages, invested Fort Stanwix, was compelled by the governor, colonel Gansevort, to raise the siege, leaving behind him his artillery and stores.

At this period general Gates was appointed to supersede general Schuyler in the command of the northern army; and the spirits of the

provincials being much raised by their late successes and the long inaction of general Burgoyne, a formidable and increasing army was collected in the vicinity of Still Water, on the western bank of Hudson's River, some miles to the southward of Saratoga. Notwithstanding the present unpromising prospect, general Burgoyne, having now about thirty days' provision in store, resolved, without calling any council of war, to pass the river, which he effected about the middle of September, and encamped on the heights of Saratoga, the enemy not receding from their position at Still Water. In his public dispatches the general offers the following very extraordinary reasons for this determination: "The peremptory tenor of his orders, and the season of the year, admitted no alternative. The expedition, says he, which I commanded, was evidently meant at first to be *hazarded*—circumstances might require it should be *devoted*. A critical junction of *Mr.* Gate's force with *Mr.* Washington might possibly decide the fate of the war; the failure of my junction with sir Harry Clinton, or the loss of my retreat to Canada, could be only a partial misfortune." Notwithstanding this laboured apology, it is probable that the idea of *devoting* his own army, in order to save that of sir William Howe, did not occur to general Burgoyne, till, by a series of un-

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looked-for disasters, it was actually and irretrievably *devoted*; nor is there just ground for the assertion, that it was meant to be *hazarded* in any peculiar or unusual sense. So sanguine in fact were the ideas of the court of St. James's, that the possibility of a failure was scarcely within the compass of their contemplation.

As the army advanced along the western bank of the river, towards the enemy, they found the country very impracticable, being covered with thick woods, and intersected with creeks, which made a continual repair of bridges necessary. At length, on the 19th of September, they were attacked near Still Water with unexpected vigor by the Americans; the action lasted from noon till sun-set, when the royal army were left in possession of the field. This was the sole advantage they could boast, nor could any difference be discerned in the behaviour of the provincial militia and the veteran troops of Britain on this hard and well-fought day. The royal army lay all night on their arms in the field of battle, and in the morning they took a position in front of the enemy's camp, fortifying their right wing, and extending their left to the banks of the river. At this crisis general Burgoyne received a letter in cypher from general Clinton, informing him of his design to make a diversion in his favour, by an expedition up the North

River, which, though far short of the aid he had once expected, he in reply urged general Clinton to the immediate performance of: declaring his intention, in hope of favourable events, to remain in his present position till the 12th of October.

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Early in the month, general Clinton, at the head of about 4000 troops, proceeded up the North River to Forts Montgomery and Constitution, which they reduced. They afterwards broke an immense boom and chain extending from shore to shore, and burnt several ships and armed vessels lying in the river; without any apparent provocation or necessity, also destroying many delightful and elegant mansions on its banks, with the whole of the beautiful village of Esopus. This dreadful work of devastation, according to the striking description of a writer who was himself an actor in the scene, exhibited a most splendid and majestic spectacle. "The flames from the frigates and galleys suddenly bursting forth, as every sail was set, the vessels soon became magnificent pyramids of fire. The reflection on the steep face of the opposite mountain, and the long train of ruddy light that shone upon the water for a prodigious distance, had a wonderful effect; whilst the ear was awfully filled with the continued echoes from the rocky shores as the flames gradually

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reached the cannon. The whole was sublimely terminated by the explosions, which again left all to darkness*.” It was now unquestionably in their power to have proceeded without interruption to Albany; but the loss they had sustained in the midst of their successes, and the apprehension that their communication with New York would be in the end cut off, probably induced general Clinton to return, and the northern army was left to its fate. A considerable provincial force had now formed in the rear of general Burgoyne, and, making themselves masters of the posts on Lake George, effectually obstructed any supplies of provision or stores from that quarter.

In the beginning of October the English general thought it necessary to lessen the rations of the soldiers. On the 7th of that month, a detachment of 1500 men, conducted by the general in person, made a movement to the right, in order to discover if there were any possible means of forcing a passage. No impression however could be made in this quarter. On the contrary, the detachment was itself vigorously assailed, and compelled to retreat with great loss back to the camp, the gallant general Frazer being killed in the action. In the mean

* *Vide Stedman's History of the American War.*

time the Americans, perceiving the lines weakened by this movement, fell with the utmost fury upon the left and centre of the British army, storming the encampment in different parts with uncommon fierceness, under a heavy fire of artillery, grape-shot, and musketry. General Arnold, who commanded the attack, and performed prodigies of valor, being grievously wounded, was obliged to retire; and night at length put an end to the engagement, not however before the German entrenchments had been carried sword in hand, and a lodgment made which left every other quarter dangerously exposed. It was therefore judged absolutely necessary to take a new position; and, amidst the darkness and horrors of this fatal night, the whole army retreated in deep and silent sadness to the heights in the rear of their former encampment.

On the next day the general continued his retreat to Saratoga, where, on his arrival, he found the passes already occupied in force by the enemy. The farther shores of the river were also lined with numerous detachments of troops, which, with the assistance of their batteaux, entirely commanded the navigation; and no hope now remained but in a rapid nocturnal march to Fort Edward, abandoning their artillery and baggage. But while preparations were

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making for this purpose, intelligence was received, that the enemy were strongly entrenched opposite the fords at Fort Edward, and that the high grounds between Fort Edward and Fort George were also every where secured and fortified. The attempt was therefore considered as hopeless and desperate; and three days' subsistence only remaining in the camp, the dreadful necessity became apparent, of proposing to general Gates terms of capitulation. After a short negociation, a CONVENTION was concluded, by which it was agreed, that the British army should march out of the camp with the honors of war, and then lay down their arms; and be allowed a free embarkation from Boston to Europe, upon condition of their not serving again in America during the present war. Upon this ever-memorable occasion, the generosity of the American commander would not suffer an individual to leave the camp to witness the degrading spectacle of piling the British arms. Such was the melancholy catastrophe of an army consisting, at its departure from Canada, of above 10,000 men, but now reduced by the sword, by famine, hardships, and disease, to little more than half the original number*. The

* The catastrophe of Saratoga will recall to the recollection of the classical reader the fate of the Roman army under Aulus in the Jugurthine war, as described by the

whole plan of this campaign was, as might reasonably be supposed from its disastrous conclusion, most severely censured. A co-operation of the two principal armies under the generals Howe and Burgoyne had been universally expected; and so firmly persuaded was general Washington that a junction between them was in contemplation, that when the British army at New York had actually embarked on the expedition to the Chesapeake, the American general long persisted in his opinion that the fleet was destined to the northward.

On the 30th of July he wrote from Coriel's Ferry, on the Delawar: "Howe's in a manner abandoning Burgoyne is so unaccountable a matter, that till I am fully assured it is so, I cannot help casting my eyes continually behind me." When the English fleet, after touching

picturesque and majestic pencil of SALLUST. "Milites ex hibernis in expeditionem Aulus evocat—hieme asperâ pervenit ad oppidum Suthul. Jugurtha, cognitâ vanitate atque imperitiâ legati, ipse per saltuosa loca et tramites exercitum ductare—intempestivâ nocte de improvise multitudo Numidarum Auli castris circumvenit. Milites Romani perculsi tumultu insolito, arma capere alii, alii se abdere, trepidare—cælum nocte atque nubibus obscuratum—periculum anceps. Dein Jugurtha postero die cum Aulo in colloquio verba facit, incolumis omnis sub jugum missurum, uti diebus decem Numidiâ decederet."

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at the Capes of Delawar, again stood out to sea, general Washington still writes under the influence of the same persuasion: "It appears," says he, "that general Howe has been practising a deep feint to draw our whole force to this point. Counter-march your division, and proceed with all possible expedition to Peek's-kill." Again, August 3: "The conduct of the enemy is difficult and distressing to be understood; and not till the latter end of the month was the doubt entirely removed. "The English fleet," says he (August 22), "have entered the Chesapeake; there is not now the least danger of Howe's going to New England." It does not however appear that this co-operation was at any time in the contemplation of sir William Howe; and the first intimation that any support whatever would be expected from him in favor of the northern expedition, was contained in a letter of lord George Germaine, received by sir William Howe when actually in the Bay of Chesapeake, in which he says, "I trust that, whatever you meditate, it will be executed in time to co-operate with the army ordered to proceed from Canada." The American minister, as well as the governor of Canada, had been apprised of general Howe's intended march to the Delawar; and could lord George Germaine possibly imagine, that the purposes of the

southern expedition could be answered, and general Howe be able to return in proper time to co-operate with general Burgoyne in the northern? The truth is, that no traces are discernible of any regular plan for the conduct of the campaign, or of any grand or masterly co-operation of means for the attainment of any precise or determinate object. Vague and general hopes were entertained, that the army under general Burgoyne, with such aid as he might eventually derive from the centre force at New York, would suffice for the subjugation of the northern provinces, and that general Howe would in the mean time accomplish the conquest of the southern. Such were the flattering delusions which, at the distance of 3000 miles, passed at the court of St. James's for sober and rational expectancies; and in the annals of history, the catastrophe of Saratoga will afford irrefragable demonstration that lord George Germaine was as little to be dreaded in the cabinet as lord George Sackville had been in the field.

On the 20th of November 1777, the parliament assembled. Previous to this period, the exultation of the court, on the intelligence of the first successes of general Burgoyne, had suffered a sudden and grievous check by the last dispatches of that commander, written after the defeat of the detachments of Baum and Prey-

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man, when the tide of fortune was evidently setting strong against him. The royal speech, however, discovered no symptoms of dejection; no relentings, no forebodings. His majesty expressed his “confidence, that the spirit and intrepidity of his forces would be attended with important success; but intimated the necessity of preparing for such farther operations as the contingencies of the war and the OBSTINACY OF THE REBELS might render expedient. He expressed his determination *steadily to pursue* the measures in which they were engaged, and his hope that the DELUDED AND UNHAPPY MULTITUDE would finally return to their allegiance.”—In the house of commons, the address, which was moved by lord Hyde, was opposed by the marquis of Granby, who brought forward an amendment, in substance recommending to his majesty measures of accommodation, and an immediate cessation of hostilities, as necessary for effectuating so desirable a purpose. This, after a long and vehement discussion, was rejected by a majority of 243 to 86.—But the debate in the upper house was rendered peculiarly interesting by the presence of lord Chatham, who himself moved an amendment of similar import to that of lord Granby, which he supported with all that energy and eloquence which had formerly produced such mighty effects, and

which must now have roused the nation from its death-like torpor, had this been within the compass of human virtue or human ability. He said, "It had been usual, on similar occasions of public difficulty and distress, for the crown to make application to that house, the great hereditary council of the nation, for advice and assistance. As it is the right of parliament to give, so it is the duty of the crown to ask it. But on this day, and in this extreme momentous exigency, no reliance is reposed on your counsels, no advice is asked of parliament; but the crown, from itself, and by itself, declares an unalterable determination to pursue its own preconcerted measures;—and what measures, my lord? Measures which have produced hitherto nothing but disappointments and defeats. I CANNOT, my lords, I WILL NOT join in congratulation on misfortune and disgrace. This, my lords, is a perilous and tremendous moment; it is not a time for adulation; the smoothness of flattery cannot save us in this rugged and awful crisis. It is now necessary to instruct the throne in the language of TRUTH. We must, if possible, dispel the delusion and darkness which envelop it; and display in its full danger, and genuine colors, the ruin which is brought to our doors. Can ministers still presume to expect support in their infatuation? Can parliament be

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so dead to its dignity and duty as to give their support to measures thus obtruded and forced upon them?—measures, my lords, which have reduced this late flourishing empire to scorn and contempt! ‘But yesterday, and England might have stood against the world;—now, none so poor to do her reverence.’ The people whom we at first despised as *rebels*, but whom we now acknowledge as *enemies*, are abetted against you, supplied with every military store, their interests consulted, and their ambassadors entertained by your inveterate enemy—and our ministers do not, and dare not, interpose with dignity or effect. The desperate state of our army abroad is in part known. No man more highly esteems and honors the English troops than I do: I know their virtues and their valor; I know they can achieve any thing except impossibilities; and I know that the conquest of English America is an impossibility. You CANNOT, my lords, you CANNOT conquer America. What is your present situation there? *We do not know the worst*: but we know that in three campaigns we have done nothing, and suffered much. You may swell every expence, and strain every effort, accumulate every assistance, and extend your traffic to the *shambles* of every German despot, your attempts will be for ever vain and impotent—doubly so, indeed, from this mercenary

aid, on which you rely; for it irritates to an incurable resentment the minds of your adversaries to overrun them with the mercenary sons of rapine and plunder, devoting them and their possessions to the rapacity of hireling cruelty. If I were an American, as I am an Englishman, while a foreign troop was landed in my country, I never would lay down my arms—NEVER, NEVER, NEVER! But, my lords, who is the man that, in addition to the disgraces and mischiefs of war, has dared to authorize and associate to our arms the *tomahawk* and *scalping knife* of the savage?—to call into civilized alliance the wild and inhuman inhabitant of the woods?—to delegate to the merciless Indian the defence of disputed right, and to wage the horrors of his barbarous war against our brethren? My lords, these enormities cry aloud for redress and punishment. Familiarized to the horrid scenes of savage cruelty, our army can no longer boast of the noble and generous principles which dignify a soldier. No longer are their feelings awake to the ‘pride, pomp, and circumstance of GLORIOUS war;’—but the sense of honor is degraded into a vile spirit of plunder, and the systematic practice of murder. From the antient connection between Great Britain and her colonies, both parties derived the most important advantage. While the shield of our

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protection was extended over America, she was the fountain of our wealth, the nerve of our strength, the basis of our power. It is not, my lords, a wild and lawless banditti whom we oppose: the resistance of America is the struggle of free and virtuous patriots. Let us then seize with eagerness the present moment of reconciliation. America has not yet finally given herself up to France: there yet remains a possibility of escape from the fatal effect of our delusions. In this complicated crisis of danger, weakness, and calamity, terrified and insulted by the neighbouring powers, unable to act in America, or acting only to be destroyed, WHERE is the man who will venture to flatter us with the hope of success from perseverance in measures productive of these dire effects? WHO has the effrontery to attempt it? Where is that man? Let him, if he DARE, stand forward and shew his face. You cannot conciliate America by your present measures; you cannot subdue her by your present or any measures. What then can you do? —You cannot conquer, you cannot gain; but you can ADDRESS—you can lull the fears and anxieties of the moment into ignorance of the danger that should produce them. I did hope, instead of that false and empty pride engendering high conceits and presumptuous imaginations, that ministers would have humbled themselves

in their errors—would have confessed and retracted them, and, by an active, though a late repentance, have endeavoured to redeem them. But, my lords, since they have neither sagacity to foresee, nor justice nor humanity to shun those calamities; since not even bitter experience can make them feel, nor the imminent ruin of their country awaken them from their stupefaction, the guardian care of parliament must interpose. I shall therefore, my lords, propose to you an amendment to the address to his majesty—To recommend an immediate cessation of hostilities, and the commencement of a treaty to restore peace and liberty to America, strength and happiness to England, security and permanent prosperity to both countries. This, my lords, is yet in our power, and let not the wisdom and justice of your lordships neglect the happy and perhaps the only opportunity.”

Lord Suffolk, secretary of state, in the course of the debate contended for the employment of Indians in the war—“ Besides its policy and necessity,” his lordship said “ that the measure was also allowable on *principle*, for that it was perfectly justifiable to use all the means that God and Nature had put into our hands.”

This moving the indignation of lord Chatham, he suddenly rose, and gave full vent to his feelings, in one of the most extraordinary bursts of

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eloquence that the pen of history has recorded:
“ I am astonished !” exclaimed his lordship,
“ SHOCKED, to hear such principles confessed !
to hear them avowed in this house, or even in
this country ! My lords, I did not intend to have
encroached again on your attention, but I can-
not repress my indignation—I feel myself IM-
PELLED to speak. My lords, we are called up-
on, as members of this house, as men, as Chris-
tians, to protest against such horrible barbarity.—
That GOD and Nature put into our hands !
What ideas of GOD and Nature that noble lord
may entertain I know not—but I know that such
detestable principles are equally abhorrent to re-
ligion and humanity.——What ! to attribute the
sacred sanction of GOD and Nature to the mas-
sacres of the Indian scalping-knife !—to the can-
nibal-savage, torturing, murdering, devouring,
drinking the blood of his mangled victims ! Such
notions shock every precept of morality, every
feeling of humanity, every sentiment of honor.
These abominable principles, and this more abo-
minable avowal of them, demand the most de-
cisiye indignation, I call upon that reverend and
this most learned bench to vindicate the religion
of their GOD, to support the justice of their coun-
try. I call upon the bishops to interpose the un-
sullied sanctity of their lawn—upon the judges,
to interpose the purity of their ermine—to save

us from this pollution. I call upon the honor of your lordships, to reverence the dignity of your ancestors, and to maintain your own. I call upon the spirit and humanity of my country, to vindicate the national character. I invoke the GENIUS of the CONSTITUTION. From the tapestry that adorn these walls, the immortal ancestor of this noble lord frowns with indignation at the disgrace of his country *. In vain did he defend the liberty and establish the religion of Britain against the tyranny of Rome, if these worse than popish cruelties and inquisitorial practices are endured among us. To send forth the merciless cannibal thirsting for blood!—against whom?—Your protestant brethren—to lay waste their country, to desolate their dwellings, and extirpate their race and name by the aid and instrumentality of these horrible HELL-HOUNDS of WAR! Spain can no longer boast pre-eminence in barbarity. She armed herself with blood-hounds to extirpate the wretched natives of Mexico; but we, more ruthless, loose these DOGS of WAR against our countrymen in America, endeared to us by every tie that should sanc-

* Lord Effingham, lord high-admiral of England, of the illustrious house of Howard, whose name is immortalized in history, by his defeat of the Spanish Armada, depicted on the tapestry of the house of lords.

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Although lord Chatham on this occasion seemed, like some "great master of the powerful spell," to have uttered "those thrilling accents that awake the dead," the event, as on former occasions, proved that no impression could be made on the temper and disposition of the house, more cold and callous than alpine snows or monumental marble ; for, on the division, 28 lords only voted in support of the motion, against 97 who opposed it.

On the 2d of December (1777) Mr. Fox moved for an enquiry into the state of the nation, in which the minister professed his cordial acquiescence. Amongst other papers which were

thought necessary to elucidate the subsequent investigation, Mr. Fox moved for returns of such colonies or places as had, in pursuance of the powers vested in the commissioners, been declared at the king's peace, or copies of such papers as had relation thereto. This motion the minister vehemently opposed, and declared he neither could nor would consent to make discoveries inconsistent with sound wisdom and policy, and prejudicial to the real interests of the country.

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During the heat of the debate intelligence was brought, that, in consequence of a motion of the duke of Richmond, these very papers had been actually laid upon the table of the other house; but the minister, as if to try how far the obsequiousness of the house would extend, still persisted in his refusal, and maintained "that the house of commons were not to be guided in their determinations by any extrinsic consideration;" and on a division, incredible as it may seem, the motion was actually negatived by a majority of 178 to 89. An act by which the dignity of the house was more wantonly sacrificed by ministerial caprice and insolence, it would be most assuredly impossible to find on the records of parliament.

The succeeding day was rendered for ever memorable by the disclosure of the melancholy ca-

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tastrophe at Saratoga. The American secretary being called upon to declare the purport of the dispatches recently received from Canada, with shame and reluctance communicated the intelligence of that fatal event. This was followed by a long and profound silence, and one general sentiment of amazement and consternation seemed to pervade the house. At length a torrent of invective, accompanied by taunts the most bitter and sarcastic, were poured out by the leaders of the opposition against the ministers, whose pride, ignorance, and incapacity, had occasioned a more signal disgrace and calamity than had ever before in the most disastrous war befallen the British arms. Mr. Fox, animadverting in a strain of the most poignant satire upon the cabinet plans of policy for a series of years past, and the remedial measures adopted by the executive power to heal the disorders of the state, stigmatized the minister as “a political Sangrado. Bleeding was his only prescription for all ills. Should mortal symptoms appear in the body politic in consequence of this regimen, still this state empiric will persist in crying out for more blood, merely because he has staked his reputation on the assertion that this is the only effectual remedy.” The time did not serve for bold and lofty language on the part of ministers. Lord North, with much apparent dejection, and even tears—the

“iron tears” of disappointed pride and fallen ambition—acknowledged “that he had indeed been unfortunate, but that his intentions were ever just and upright; that he had originally been in a manner forced into an office which he would most willingly and gladly resign, could his resignation facilitate the obtaining that peace and reconciliation for which he had ever earnestly wished.” The American minister also professed, in terms of humiliation, “that he should be ever ready to submit his conduct to the judgment of the house; hoping, nevertheless, that the house would suspend their censures relative to the late unhappy event, till an impartial investigation both of the plan and the execution of it had taken place.”

On the 5th of December (1777) lord Chatham, in consequence of the late intelligence from America, attended the house of peers, and moved, “that an address be presented to his majesty, to cause the proper officers to lay before the house copies of all orders and instructions to general Burgoyne relative to the late expedition from Canada.” Holding up a paper in view of the house, his lordship said, “that he had the king’s speech in his hand, and a deep sense of the public calamity in his heart. That speech, he said, contained a most unfaithful picture of the state of public affairs; it had a specious outside,

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1777. was full of hopes, while every thing within was full of danger. A system destructive of all faith and confidence had been introduced, his lordship affirmed, within the last fifteen years at St. James's, by which pliable men, not capable men, had been raised to the highest posts of government. A few obscure persons had obtained an ascendancy where no man should have a personal ascendancy, and by the most insidious means the nation had been betrayed into a war of which they now reaped the bitter fruits. The SPIRIT OF DELUSION, his lordship said, had gone forth; ministers had imposed on the people; parliament had been induced to sanctify the imposition; a visionary phantom of revenue had been conjured up for the basest of purposes, but it was now for ever vanished. His lordship said, that the abilities of general Burgoyne were confessed, his personal bravery not surpassed, his zeal in the service unquestionable. He had experienced no pestilence, nor suffered any of the accidents which sometimes supersede the wisest and most spirited exertions of human industry. What then is the cause of his misfortunes?—Want of wisdom in our councils, want of ability in our ministers. His lordship said, the plan of penetrating into the colonies from Canada was a most wild, uncombined, and mad project; and the mode of carrying on the war was the most bloody, barbarous, and feroci-

ous recorded in the annals of history. The arms of Britain had been sullied and tarnished by blending the scalping knife and tomahawk with the sword and firelock. Such a mode of warfare was a contamination which all the waters of the Hudson and the Delawar would never wash away. It was impossible for America to forget or forgive so horrid an injury."

In the course of his speech he animadverted in the severest terms on the language recently held by a most reverend prelate, the archbishop of York, both in print and in that house. "The pernicious doctrines advanced by that prelate were, he said, the doctrines of Atterbury and Sacheverel. As a Whig he abjured and detested them; and he hoped he should yet see the day when they would be deemed libellous, and treated as such."—The motion being negatived, his lordship next moved an address to the king, "that all orders and treaties relative to the employment of the Indian savages be laid before the house."

Lord Gower rose, and, with all that acrimony by which his speeches were usually distinguished, opposed and reprobated the motion; asserting, "that the noble lord had himself employed savages without scruple in the operations of the last war." This charge lord Chatham positively and peremptorily denied, and challenged the

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ministers, if any such instructions of his were to be found, to produce them. If at all employed, they had crept into the service from the occasional utility of their assistance in unexplored parts of the country. He said, “the late king George II. had too much regard for the military dignity of his people, and also too much HUMANITY, to agree to such a proposal, had it been made to him; and he called upon lord Amherst to declare the truth.” Lord Amherst, not able to evade this appeal, reluctantly owned that Indians had been employed on both sides—the French employed them first, he said, and we followed their example; but that he had been authorized to take them into his majesty’s service by instructions from the minister, his lordship would not affirm. The motion was dismissed by the previous question.

The two houses in a few days after this determined upon an adjournment to the 20th of January 1778, notwithstanding an animated resistance on the part of the opposition, who demonstrated the impolicy at so critical a juncture of indulging in so long a recess. Lord Chatham on this occasion declared, “that it was with grief and astonishment he heard a proposal made of a nature so extraordinary at a crisis so urgent; when,” said he, “my lords, I will be bold to say, events of a most alarming tendency, little

expected or foreseen, will shortly happen. Ministers flatter themselves, whenever the worst comes, that they shall be able to shelter themselves behind the authority of parliament; but this, my lords, cannot be. They stand COMMITTED, and they must ABIDE the ISSUE. The DAY OF RETRIBUTION is at hand, when the VENGEANCE of a much injured people will, I trust, FALL HEAVILY ON the AUTHORS of their RUIN.

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During the recess, the spirits of the ministry, which had sunk to so low an ebb, seemed to revive; and the powerful faction of the tories, which had of late years acquired such an ascendancy under the patronage of the court, being if possible more than ever eager for the subjugation of America, large offers were made from different places for raising new regiments to supply the late heavy loss; and a determination was taken to prosecute the war with redoubled force and vigour.

On an early day after the recess, the house of commons, in consequence of a motion previously made by Mr. Fox, resolved itself into a committee on the state of the nation; and, in a most able and comprehensive speech, Mr. Fox entered at great length into a retrospective view of the whole conduct of the present administration respecting America, including as well the measures which led to the war, as the manner in

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which it had been prosecuted. He laid it down as an incontrovertible axiom, “that it was impossible for any country to fall within so few years from the high pitch of power and glory which we had done, without some radical error in its government. The present calamitous state of the nation was evidently to be traced to the blind obstinacy and wretched incapacity of its ministers, who could not listen to any overtures of conciliation, who would not carry into effect any plan of coercion. He made it appear from the papers before them, that at a time when we were in immediate danger of encountering the whole force of the house of Bourbon, united with that of America, the army in England and Ireland had been so reduced and weakened by the continual drain of the war, as to fall several thousand men short of the usual peace establishment. To abandon the ministerial plan of conquest was therefore a matter not of choice but necessity, when the force employed in America was so much diminished in consequence of the late disastrous events, and when it was incapable of being reinforced without leaving this country absolutely without defence. Upon this ground Mr. Fox moved as a resolution of the committee, “that an address should be presented to his majesty, beseeching his majesty that no part of the national force in these kingdoms, or in the

garrisons of Gibraltar or Minorca, should be sent to America." To the infinite surprize of the public, no debate ensued, nor was any reply whatever made to this speech; but the question being called for, the motion was rejected on a division by a majority of 259 to 165, the largest minority that had yet appeared in this parliament in opposition to the ministry.

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In a few days after this Mr. Burke moved for the papers relative to the employment of the Indians; and in a speech distinguished by that glow and warmth of coloring, which characterized him on all occasions as a public speaker, he reprobated the measure as replete with disgrace and infamy. "The Indian mode of making war," he said, "was so horrible, as not only to shock the manners of all civilized nations, but far to exceed the ferocity of any other barbarians recorded in antient or modern history. Their chief glory consisted in the number of human scalps which they acquired, and their chief delight was in the practice of torturing, mangling, roasting, and devouring their captives. The attempt to prevent these enormities was wholly unavailing. Mr. Burke treated with contempt the efforts made to restrain them—for what in effect was the language employed for this purpose? Go ye tender lions, ye gentle tygers, ye merciful wolves, ye meek and christian-hearted

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hyænas, go fight the battles of the great King—but shed no blood.” Those Indians employed both by general Burgoyne and colonel St. Leger had indiscriminately murdered men, women, and children—friends and foes—armed or unarmed, without distinction. The horrid murder of Miss Macrae, on the morning of her intended marriage with an officer of the king’s troops, and the massacre in cold blood of the prisoners taken in an engagement near Fort Stanwix, were particularly instanced as proofs of the absolute impracticability of restraining the barbarities of these savages.” After a long debate Mr. Burke’s motion was negatived by a majority of 223 to 137.

Various other motions made by Mr. Fox, colonel Barré, and Mr. Burke, in the committee of enquiry, being also rejected, the minister gave notice that he had digested a plan of conciliation, which he meant shortly to lay before the house. Accordingly, on the 17th of February, 1778, lord North moved for leave to bring in—
“ 1. A bill for removing all doubts and apprehensions concerning taxation by the parliament of Great Britain in any of the colonies and plantations in North America; and 2. A bill to enable his majesty to appoint commissioners with sufficient powers to treat, consult, and agree upon the means of quieting the *disorders* now

subsisting in certain of the colonies in America."

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His lordship, in opening his plan, acknowledged, that he had always known that American taxation could never produce a beneficial revenue—that it was not his policy to tax them, but that he had found them taxed when he unfortunately came into administration—and that he could not possibly suspect the regulation he had introduced in relation to the tea-duty could have been productive of such fatal consequences. With respect to the coercive acts, his lordship said, they had appeared necessary to remedy the distempers of the time; he complained, that the events of war had turned out very differently from what he had a right to expect from the great and well appointed force sent over; but to events and not expectations he must make his plan conform. His lordship said, that the appointment of five commissioners was in contemplation, who should be enabled to treat with the congress *as if it were a legal body*; or with any individuals in their present civil capacities, or military commands;—that they should have a power to order a suspension of arms, to suspend the operation of all laws, and to grant all sorts of pardons. A preliminary renunciation of independency would not be required of America, and a contribution in any shape from Ame-

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rica was not to be insisted upon as a *sine qua non* of the treaty. These concessions his lordship declared to be founded on reason and propriety; and if the question was asked, Why they had not been sooner proposed? he should reply, that the moment of victory, for which he had anxiously waited, seemed to him the only proper season for offering terms of concession. But though the result of the war had proved unfavourable, he would no longer delay the desirable and necessary work of reconciliation."

Never, perhaps, was the inexpressible absurdity of the ministerial system more apparent than at the present moment. The powers now granted were obviously analogous to those with which it was the object of the motion made by the duke of Grafton, in the spring of 1776, to invest the former commissioners, lord and general Howe. Had that motion been adopted, the contest might unquestionably have been, with the utmost facility, amicably and honourably terminated; but the general aspect of affairs since that period was totally changed. From the declaration of independency which America had once made, she could never be expected to recede. The strength of Great Britain had been tried, and found unequal to the contest. The measures adopted by the English government, particularly in the employment of German mercenaries and

Indian savages, had inflamed the resentment of America to the highest pitch. Her recent successes had rendered it to the last degree improbable that she would ever again consent to recognise, in any shape, or under any modification, the authority of Britain. A treaty of peace, commerce, and alliance, was all that a just and sound policy, in the present circumstances, could hope, or would endeavour to accomplish.

The propositions of the minister were received by the house without any symptoms of applause. On the contrary, they were assailed by objections from all quarters. The high prerogative party lamented the degradation which the bills would bring upon the government of this country. They insisted that our resources were great and inexhaustible; and they bitterly deplored that pusillanimity in our councils, which, after so great an expence of blood and treasure, could submit, not only to give up all the objects of the contest, but to enter into a public treaty with *armed rebels*, which, after all, would not produce the end proposed.

The opposition, usually so called, expressed their reluctant agreement in the probable truth of this prediction. The chances, in point of calculation, were infinitely against the success of the measure; but still there was a chance—and they would not, in any manner, impede or delay

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Mr. Fox asserted, “that his lordship had attempted a justification of the most unjustifiable measures which had ever disgraced any government or ruined any country. But his arguments might be collected into one point, his excuses comprised in one apology—in one single word—IGNORANCE: a palpable and total ignorance of every part of the subject. He hoped, and he was disappointed—he expected a great deal, and found little to answer his expectations—he thought America would have submitted to his laws, and they had resisted them—he thought they would have submitted to his armies, and they had defeated them—he made conciliatory propositions, and he thought they would succeed, but they were rejected—he appointed commissioners to make peace, and he thought they had powers; but he found they could not make peace, and that they had not sufficient powers. Had the present concessions been offered in time, Mr. Fox said, they would undoubtedly have been successful; for, however obscure his former propositions of conciliation might be deemed, NECESSITY had at length compelled the noble lord to speak plain. But what censure would be found sufficient, he asked,

on those ministers who had adjourned parliament, in order to make a proposition of conciliation, and then neglected to do it until France had concluded a treaty with the United and Independent States of America, and acknowledged them as such? He did not speak from surmise, he said, he had it from authority he could not question, that the treaty he mentioned had been signed in Paris ten days before; he therefore wished that the noble lord would give the house satisfaction on that interesting point." The minister, being closely pressed, at length reluctantly acknowledged, "that it was but too probable such a treaty was in agitation, though he had no authority to pronounce absolutely that it was concluded:" and it was animadverted upon as a very extraordinary circumstance, that the intelligence of a private member of that house should be sooner received, and more authentically ascertained, than that of the government. The conciliatory bills were carried through both houses early in March.

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On the second reading of the bills in the house of peers, the duke of Grafton informed their lordships, that he had what he conceived to be indubitable intelligence that a treaty had been actually signed between France and America: and his grace demanded from the ministers a public avowal or disavowal of this important

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fact. To which lord Weymouth, secretary of state, challenging the future recollection of the house, replied, "that he knew nothing of any such treaty, nor had received any authentic information of its being either in existence or contemplation." Nevertheless, within a very few days after this extraordinary declaration, lord North delivered a royal message to the house of commons, and lord Weymouth to the house of peers, in which the king informed the two houses, "that a rescript had been delivered by the ambassador of his most christian majesty, containing a direct avowal of a treaty of amity, commerce, and alliance, recently concluded with America; in consequence of which offensive communication on the part of the court of France, his majesty had sent orders to his ambassador to withdraw from that court; and, relying on the zealous support of his people, he is prepared to exert all the force and resources of his kingdoms, to repel so unprovoked and unjust an aggression." Addresses were voted by both houses, containing the strongest assurances of assistance and support. An amendment moved by Mr. Baker, containing a severe reflection on the conduct of the minister, was previously rejected in the house of commons by 263 voices against 113. A similar amendment was moved in the upper house by the duke of Manchester, which gave

rise to a debate, chiefly interesting as it brought into a full view a very important difference of opinion subsisting between the lords in opposition, and which had on various occasions more covertly appeared, respecting the recognition of American independence. The marquis of Rockingham, and the whole Rockingham connection, maintained without reserve the necessity of admitting the independence of America. "To attempt impossibilities," said they, "can only render our ruin inevitable; it is not now in our power to recover what we have wantonly thrown away." On the other hand, the earls of Chatham, Temple, and Shelburne, and several other lords, who had unhappily established a distinct connection, and were, throughout the long course of opposition to the present ministry, considered as a separate party, disclaimed every idea of relinquishing America, and deprecated its independence as the greatest of all political and national evils; and as including the utter degradation and final ruin of this country. The numbers on the division were, 100 lords who voted against the amendment, to 36 who supported it.

On the 7th of April, the duke of Richmond, at the close of the grand committee of enquiry, in which the upper house as well as that of the commons had been during the greater part of the

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session deeply engaged, moved an address to the king on the state of the nation. In his speech in support of this address, his grace declared in strong terms his conviction of the necessity of an immediate recognition of American independence. "The mischief," he said, "whatever might be the magnitude of it, was already done; America was already lost; her independence was as firmly established as that of other states. We had sufficient cause for regret, but our lamentation on the subject was of no more avail than it would be for the loss of Normandy or France." The earl of Chatham, in full expectation that this point would come under discussion this day, resolved, however enfeebled and afflicted by his corporeal infirmities, to make his personal appearance in the house, in order to bear his decided testimony against such recognition. The mind feels interested in the minutest circumstances relating to the last day of the public life of this renowned statesman and patriot. He was dressed in a rich suit of black velvet, with a full wig, and covered up to the kness in flannel. On his arrival in the house, he refreshed himself in the lord chancellor's room, where he staid till prayers were over, and till he was informed that business was going to begin. He was then led into the house by his son and son-in-law, Mr. William Pitt and lord viscount

Mahon, all the lords standing up out of respect, and making a lane for him to pass to the earls' bench, he bowing very gracefully to them as he proceeded. He looked pale and much emaciated, but his eye retained all its native fire; which, joined to his general deportment, and the attention of the house, formed a spectacle very striking and impressive.

When the duke of Richmond had sat down, lord Chatham rose, and began by lamenting "that his bodily infirmities had so long and at so important a crisis prevented his attendance on the duties of parliament. He declared, that he had made an effort almost beyond the powers of his constitution, to come down to the house on this day, perhaps the LAST time he should ever be able to enter its walls, to express the indignation he felt at the idea which he understood was gone forth of yielding up the sovereignty of America. My lords," continued he, "I rejoice that the grave has not closed upon me, that I am still alive to lift up my voice against the dismemberment of this antient and noble monarchy. Pressed down as I am by the load of infirmity, I am little able to assist my country in this most perilous conjuncture: but, my lords, while I have sense and memory, I never will consent to tarnish the lustre of this nation by an ignominious surrender of its rights and fairest possessions.

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Shall a people so lately the terror of the world, now fall prostrate before the house of Bourbon? It is impossible! In God's name, if it is absolutely necessary to declare either for peace or war, and if peace cannot be preserved with honour, why is not war commenced without hesitation? I am not, I confess, well informed of the resources of this kingdom, but I trust it has still sufficient to maintain its just rights, though I know them not.—Any state, my lords, is better than despair. Let us at least make one effort—and, if we must fall, let us fall like men.”

The duke of Richmond, in reply, declared himself to be “totally ignorant of the means by which we were to resist with success the combination of America with the house of Bourbon. He urged the noble lord to point out any possible mode, if he were able to do it, of making the Americans renounce that independence of which they were in possession. His grace added, that if HE could not, no man could; and that it was not in his power to change his opinion on the noble lord's authority, unsupported by any reasons, but a recital of the calamities arising from a state of things not in the power of this country now to alter.”

Lord Chatham, who had appeared greatly moved during the reply, made an eager effort

to rise at the conclusion of it, as if laboring with some great idea, and impatient to give full scope to his feelings; but, before he could utter a word, pressing his hand on his bosom, he fell down suddenly in a convulsive fit. The duke of Cumberland, lord Temple, and other lords near him, caught him in their arms. The house was immediately cleared; and his lordship being carried into an adjoining apartment, the debate was adjourned. Medical assistance being obtained, his lordship in some degree recovered, and was conveyed to his favorite villa of Hayes in Kent, where, after lingering some few weeks, he expired May 11th, 1778, in the 70th year of his age*.

On the first intelligence of his death, colonel Barré repaired to the house of commons, then sitting, and communicated the melancholy information. Although it was an event which had been for some time daily expected, the

* The following account is extracted from a letter written on this occasion by lord Camden to a nobleman of the highest rank, with whom, notwithstanding their temporary differences in politics, he had ever maintained an inviolable friendship. “ I saw him in the prince’s chamber, before he went into the house, and conversed a little with him: but such was the feeble state of his body, and indeed the distempered agitation of his mind, that I did forebode his strength would certainly fail him before he had finished his speech. The earl spoke, but was not like himself. His speech faltered,

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house seemed affected with the deepest sensibility, and sorrow was apparent in every countenance. The recollection of his former pre-eminence in power, of his unrivalled eloquence, of his unwearied exertions in the public service, and of the unexampled prosperity to which Great Britain had attained under his administration, rushed upon the mind with irresistible force, and produced an emotion which the sympathy so powerful in popular assemblies heightened to enthusiasm. The motion made by colonel Barré, “that the remains of the Earl of Chatham be interred at the public expence,” was unanimously adopted; with the farther addition, “that a monument be erected to his memory in the collegiate church of St. Peter, Westminster.” This was followed by a motion from lord John Cavendish, for an address to the king, “that his majesty would be graciously pleased to make a perma-

his sentences broken, and his mind not master of itself. His words were shreds of unconnected eloquence, and flashes of the same fire that he, Prometheus-like, had stolen from heaven, and were then returning to the place from whence they were taken. He fell back upon his seat, and was to all appearance in the pangs of death. This threw the whole house into confusion. Many crowded about the earl. Even those who might have felt a secret pleasure in the accident, yet put on the appearance of distress—except only the earl of Mansfield, who sat still, almost as much unmoved as the senseless body itself.”

ment provision for the family of the late WIL-
LIAM PITT, earl of CHATHAM, in consideration
of the services performed by that able statesman ;”
and in the sequel, a bill was brought into par-
liament, and unanimously passed, by which a
clear annuity of 4000*l.* per annum, payable
out of the civil list, is for ever to be annexed
to the earldom of Chatham, and the sum of
20,000*l.* voted for the discharge of debts and
incumbrances. Thus nobly and gratefully did
the nation reward the services of the man whose
counsels, to the amazement of the world, she had
for so many years neglected and contemned. The
ready concurrence of the court in the honors la-
vished on the memory of this great statesman may
be ascribed entirely to the decided manner in which
he delivered, almost in his last breath, his senti-
ments against the recognition of American inde-
pendence, and which may be regarded as the sole
political error with which, in respect to America,
he is chargeable. What his precise ideas were,
with regard to the plan of conciliation proper to
be adopted in the actual circumstances of the
nation, cannot be ascertained ; but of this we
may rest assured, from the uniform and systema-
tic tenor of his policy, that he never would have
employed coercive means in accomplishing it.
When he found, and had he been restored to the
plenitude of power he certainly would have found,

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America determined to maintain her independency, he must doubtless have discovered, and could not but have submitted to, the necessity of recognizing it. It is exceedingly to be lamented, that personal and party considerations prevented that firm and cordial coalescence amongst the whigs in opposition to the court, which was so necessary to give efficacy to their exertions. The dislike of lord Chatham to the Newcastle or Rockingham party was invincible; and the divisions and animosities which originated in that dislike, and which his death was far from extinguishing, have at length terminated in what may be considered as the almost total ruin of the whig interest, and the final and complete triumph of the tories; at least till the calamities, which have never yet failed to result from a tory system of government in this country, shall again awaken the dormant spirit of whiggism in the nation, and consign the absurd, pernicious, and detestable maxims of tory government to public contempt and execration. But when a just allowance is made, and just allowance must be made for those imperfections from which no human character is exempt, lord Chatham will unquestionably rank as one of the greatest, most enlightened, and beneficent statesmen that ever adorned the annals of any age or country.

The distresses in which the kingdom of Ireland

was involved in consequence of the war, and the general and loud complaints of the bulk of its inhabitants, made it absolutely necessary to attempt something farther for its relief; and in a committee of the whole house it was resolved,

I. That the Irish might be permitted to export directly to the British plantations or settlements all goods, wares, and merchandize, being the produce of that kingdom, or of Great Britain, wool and woollen manufactures only excepted; as also foreign certificate goods legally imported.

II. That a direct importation be allowed of all goods, wares, and merchandize, being the produce of the British plantations, tobacco only excepted.

III. That the direct exportation of glass manufactured in Ireland be permitted to all places except Great Britain.

IV. That the importation of cotton yarn, the manufacture of Ireland, be allowed, duty free, into Great Britain; as also,

V. The importation of sail-cloth and cordage.

These resolutions excited a very great and general alarm amongst the commercial part of the British nation, who seemed to consider the admission of Ireland to any participation in trade as equally destructive to their property, and subversive of their rights.

After the recess, very many instructions and petitions were presented to the house in opposition to them: and it deserves mention, as a striking instance of commercial folly and prejudice, that, in several of the petitions, the importation of Irish sail-cloth and of wrought iron is particularly specified as ruinous to the same manufactures in England; though it was by this time discovered, that, by a positive law of long standing, Ireland was in actual possession of those very privileges, although the Irish were so far from being able to prosecute these manufactures to any purpose of competition with the British, that great quantities of both were annually exported to that country from England. An almost equally great and equally groundless alarm had been taken at the bill, passed a few years since for the free importation of woollen yarn into England; which was by experience found and acknowledged to be not merely innocuous, but beneficial; yet such influence had the apprehensions of the public upon the disposition of the house, that the bills founded on the resolutions actually passed were ultimately dismissed, and some trivial points only conceded, not meriting a distinct specification.

Late in the session, sir George Saville moved for leave to bring in a bill for the repeal of certain penalties imposed by an act passed in the

10th of king WILLIAM, entitled An Act for preventing the farther Growth of Popery ; which penalties the mover stated to be, the punishment of popish priests, or jesuits, as guilty of felony, who should be found to officiate in the services of their church ; the forfeiture of estate to the next protestant heir, in case of the education of the romish possessor abroad ; the power given to the son, or other nearest relation, being a protestant, to take possession of the father's estate during the life-time of the proprietor ; and the depriving papists of the power of acquiring any legal property by purchase. In proposing the repeal of these penalties, sir George Saville said, " that he meant to vindicate the honor and assert the principles of the protestant religion, to which all persecution was foreign and adverse. The penalties in question were disgraceful, not only to religion, but to humanity. They were calculated to loosen all the bands of society, to dissolve all social, moral, and religious obligations and duties ; to poison the sources of domestic felicity, and to annihilate every principle of honor." The motion was received, to the infinite credit of the house, with such high and marked approbation, that the bill founded upon it passed without a single negative, and soon afterwards acquired, by the cordial con-

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currence of the peers and the monarch, the force of a law.

About this time general Burgoyne returned to England, being released on his parole by congress; but he met, probably to his surprise, with a very cold and indifferent reception from the ministers, and, in a manner which clearly indicated his disgrace, was refused admission to the royal presence. The general, highly resenting this treatment, avenged himself by loud complaints in the house of commons of the misconduct of ministers, describing them as totally incompetent to sustain the weight of public affairs in the present critical and dangerous emergency. This mode of retaliation, however, contributed little to raise his character in the estimation of the public, who clearly discerned the real causes of his defection from the court, who were not ignorant that the plan of the Canada expedition had his entire previous approbation, and that, in the execution of it, his zeal was much more conspicuous than his judgment or discretion. In the sequel, he was ordered to re-join his troops in America, whom, on various frivolous pretences, the congress refused to release till the convention of Saratoga was formally ratified by the court of Great Britain. With this injunction, though coming from the highest

authority, the general refusing to comply, he was divested of all the posts and offices which he held under the government.

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This session is distinguished above all others for a multiplicity of motions in both houses, by different members, chiefly of the opposition, on various subjects of political concern, which gave rise to long and tedious debates ; and which, being successively negatived by the influence of the court, it is fruitless to particularize. The most remarkable of these was a resolution moved by Mr. Gilbert, in the committee of supply, (March 2,) that a tax of five shillings in the pound be laid on pensions and salaries issuing out of the exchequer during the continuance of the war ; which was carried by 100 to 82 voices ; but, on the report, rejected by 147 to 141. A bill for the exclusion of contractors from the house of commons was also lost by a majority of two voices only ; on the motion of commitment, the numbers on the division being 115 to 113. Upon the whole, it appeared that the minority gained strength, and a dawn of hope arose that the reign of the present ministry might not be immortal.

On the 3d of June, 1778, the parliament was prorogued, and thanks were returned by the king, in his speech, “ for the zeal shewn by parliament in supporting the honor of the crown, and their attention to the real interests of the na-

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tion, manifested in the wise, just, and humane laws which had been the result of their deliberations."

At the eve of a war with France, and a war with Spain in no very distant prospect, two different lines of conduct now obviously presented themselves. Either, 1st, to withdraw our fleets and armies from America, and to direct the whole force of the empire against the house of Bourbon, in the hope of success so decisive as to enable us in the result to conclude an advantageous accommodation with America, conformably to the general ideas of lord Chatham; or, 2dly, which would have been infinitely the wiser, though the less splendid and attractive plan, unreservedly to recognize the independency of America, which would have opened the way, without difficulty, to an immediate and general pacification. But the present ministers, in the same spirit of folly and phrensy which had invariably marked their conduct, determined to adhere to their former project of conquering America; contenting themselves with opposing such part of the general force of the empire as could be spared for this secondary and inferior purpose, to the whole undivided strength of the house of Bourbon. "The king of England," says the celebrated monarch of Prussia, speaking of the state of affairs of Great Britain at this period, "who still acted upon the

system of BURE, combated with inflexible obstinacy the obstacles which on all sides presented themselves. Insensible to the miseries and misfortunes of his people, he only became, in consequence of the resistance he met with, the more eager for the accomplishment of his projects."

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In the beginning of June, 1778, the new commissioners, lord Carlisle, Mr. Eden, and Mr. Johnstone, formerly governor of Florida, arrived at Philadelphia, more than a month after the ratification of the treaty between France and America had been formally exchanged. The reception they met with was such as men the most opposite in their politics had foreseen and foretold. Dr. Ferguson, secretary to the commission, was refused a passport to congress, and they were compelled to forward their papers by the common means. The commissioners, at the very outset, made concessions far greater than the Americans, in their several petitions to the king, had requested or desired—greater indeed than the powers conferred upon them by the act seemed to authorize. Amongst the most remarkable of these was the engagement "to agree that no military force should be kept up in the different states of America, without the consent of the general congress, or of the several assemblies—to concur in measures calculated to discharge the debts of America, and to raise

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the credit and value of the paper circulation—to admit of representatives from the several states, who should have a seat and voice in the parliament of Great Britain—to establish a perfect freedom of legislation and internal government, comprehending every privilege short of a total separation of interests, or consistent with that union of force on which the safety of the common religion and liberty depends.”

These papers, when laid before the congress, were read with astonishment and regret; but from the declaration of INDEPENDENCE they had neither the will nor the power to recede. An answer therefore, brief but conclusive, was returned by the president Henry Laurens, declaring, “that nothing but an earnest desire to spare the farther effusion of human blood could have induced them to read a paper containing expressions so disrespectful to his most christian majesty their ally, or to consider propositions so derogatory to the honor of an independent nation. The commission, under which they act, supposes the people of America to be still subjects of the crown of Great Britain, which is an idea utterly inadmissible.” The president added, “that he is directed to inform their excellencies of the inclination of congress to peace, notwithstanding the unjust claims from which this war originated, and the savage manner in

which it had been conducted. They will therefore be ready to enter upon the consideration of a treaty of peace and commerce, not inconsistent with treaties already subsisting, when the king of Great Britain shall demonstrate a sincere disposition for that purpose; and the only solid proof of this disposition will be an explicit acknowledgment of the independence of the United States, or the withdrawing his fleets and armies."

The commissioners, finding the door of negotiation shut against them, published very unwarrantable appeals to the people at large, calculated to excite discord among the several colonies, or seditious tumults against the established governments. These producing no manner of effect, they promulgated a most signal valedictory manifesto, containing a dark and mysterious menace, warning the people of America of the total and material change which was to take place in the future conduct of the war, should they still persevere in their OBSTINACY.

The congress, who had taken little notice of their former addresses, were now provoked to publish a counter-manifesto, in which they say, "If our enemies presume to execute their threats, we will take such EXEMPLARY VENGEANCE as shall deter others from a like conduct." The commissioners now returned to

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England, after having executed their *conciliatory commission* in a mode which left America in a far worse state of irritation and inflammability than they found it*. The earl of Carlisle had brought with him an order, little calculated to add weight to his mission, for the immediate evacuation of the city of Philadelphia, and the retreat of the army to New York. This was a measure, however mortifying, which was ren-

* Governor Johnstone had very early fallen into extreme disgrace by an indirect attempt to bribe some of the leading members of the congress; which assembly thereupon passed a formal resolution, that they would have no farther intercourse with him in his public capacity, and his name was accordingly omitted in the papers subsequently addressed by the commissioners to the congress. This ridiculous and ineffectual overture was made through the medium of a Mrs. Ferguson, who was suspected not to have been endowed with all that *SECRECY* requisite to the discharge of so delicate an office. Governor Johnstone, who, on his first arrival in America, had complimented the congress in high-flown and extravagant terms, on this mortifying exposure changed his language to the lowest abuse. The fact, however, was clearly ascertained; and the governor, in his ludicrous distress, might be allowed to exclaim, in the words of SHAKESPEARE,

“Let not the heavens hear these tell-tale women!”

Mr. Jos. Reed, to whom an offer of 10,000*l.* had been made, in order to secure his *good offices*, nobly replied, “that he was not worth purchasing; but, such as he was, the king of Great Britain was not rich enough to do it.”

dered very necessary by the departure of a strong squadron from the port of Toulon in the month of April, which was supposed to be destined for the Delawar, and which the naval force under lord Howe was in no condition to oppose.

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On the 18th of June the whole British army passed the Delawar. Some weeks previous to this event, general Howe had resigned the command to sir Henry Clinton. Though uniformly *in a certain degree* successful in his enterprises, this officer acquired little accession of military reputation in America. Brave as a soldier, but, in the capacity of general, slow, cautious, and indecisive, he deviated into an extreme the opposite of general Burgoyne, who was censured as rash, presumptuous, and romantic. The character civil and military of sir William Howe has been drawn with uncommon force and happiness by the pen of general Lee. He sums up all, by pronouncing him “naturally good humoured, complaisant, but illiterate and indolent to the last degree; unless as an executive soldier, in which capacity he is all fire and activity—brave and cool as Julius Cæsar. His understanding is rather good than otherwise; but, totally confounded and stupefied with the immensity of the task imposed upon him, he shut his eyes, fought his battles, advised with his counsellors, received his orders from North and Germaine,

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each more absurd than the former—shut his eyes, fought again, and is now to be called to account for acting according to instructions.”

Considering that the military exploits performed by sir William Howe were not quite equal to those recorded of don Bellianis, or sir Lancelot of the Lake, it cannot but be matter of surprise to find his departure from America celebrated by a triumphal festival, resembling some Paladin entertainment in necromantic bower or hall.

All the colors of the army were placed in a grand avenue 300 feet in length, lined with the king's troops, between two triumphal arches, for the general to march along in pompous procession, followed by a numerous train of attendants, with seven silken knights of the blended rose, and seven more of the burning mountain, and fourteen damsels dressed in the Turkish fashion, to a spacious area, where a magnificent tournament in the style of ancient chivalry was exhibited in honor of the hero. On the top of each triumphal arch was a figure of fame, bespangled with stars, blowing from her trumpet in letters of light, “TES LAURIERS SONT IMMORTELS!”

The march of the British army through the Jerseys was not unattended with difficulty. Encumbered with an enormous train of baggage, extending the length of twelve miles, the whole

country hostile, the bridges broken down before, and a vigilant enemy pressing close behind, the utmost prudence and circumspection of the new general were necessary to make a vigorous and effectual defence against those attacks to which a retreating army is so peculiarly exposed. Instead of proceeding in a direct route to Brunswick, the general determined, by bending his march to the right, and approaching the sea-coast, at once to disappoint the expectation of the enemy, and to avoid the difficulty attending the passage of the Rariton.

On the evening of the 27th of June the royal army encamped in the vicinity of Monmouth Court-house, and early the next morning they re-commenced their march. Scarcely were they in motion when the enemy were discovered moving in force at some distance on both flanks. The first division under general Knyphausen proceeding with the escort of carriages to the heights of Middletown, the English commander immediately formed his troops, with a view to bring on a general engagement. General Lee, who had been some time since exchanged, advanced with the van of the American army to the attack, in conformity to the directions of general Washington; but several of the brigades under his command being thrown into confusion by an impetuous assault of the British cavalry, he ordered a

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retreat, with a view to form anew in an advantageous position behind a ravine and morass. In the interim general Washington arrived at the head of the main army, and expressed in strong terms his astonishment and indignation at the retrograde motion of the van. General Lee replied with equal warmth; but in the result the troops of the van were ordered to form in front of the morass, where an obstinate engagement ensued, till, the Americans being again worsted and broken, general Lee was again under the necessity of ordering a retreat, which he conducted with great skill and courage, himself being one of the last who remained on the field. The British light infantry and rangers, in the mean time, who had filed off to the left, and attempted an assault on the American main body, where general Washington commanded in person, met with such a reception as compelled them, after repeated efforts, to desist from the attack; and the day being intensely hot, the action, in which the two armies appear to have sustained nearly equal loss, ceased from mere weariness and fatigue. At midnight sir Henry renewed his march in profound silence, and on the 30th of June arrived in safety at Sandy Hook, from whence he passed over to New York without farther molestation.

The high spirit of general Lee could not,

however, brook the language which general Washington had hastily used, and he wrote him in consequence a passionate letter, which occasioned his being put under immediate arrest; and a court-martial being held upon him for disobedience of orders, misbehaviour in action, and disrespect to his commander, he was found guilty upon every charge, and suspended from all his military commands for twelve months. It was suspected that the commander in chief was not displeased at the dismissal of a man so haughty and impracticable; nor did the army, in whose estimation he had been visibly lessened since the disaster which had befallen him, appear much to regret his loss. For though the capture of general Lee was merely fortuitous, misfortune is in the minds of men nearly allied to disgrace, disgrace produces contempt, and contempt verges towards alienation and hatred.

No sooner had sir Henry Clinton and the army evacuated Philadelphia, than lord Howe prepared to sail with the fleet to New York. Repeated calms retarded his passage down the Delawar, so that he could not clear the Cape till the evening of the 28th of June: and on the 29th his lordship reached Sandy Hook, whence he convoyed the army to New York. In a few days after the departure of lord Howe, count d'Estaing arrived off the coast, and anchored in the night of the

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8th of July at the mouth of the Delawar; so that lord Howe narrowly escaped a surprise, which would probably have been attended with very fatal consequences.

On the 11th the French fleet, consisting of fifteen sail of the line, appeared off Sandy Hook, to which lord Howe could oppose only eleven ships of very inferior magnitude and weight of metal. These were ranged with great skill and judgment in the harbour, in full expectation of an attack from the French fleet, which seemed resolutely bent upon the attempt. But the American pilots on board declared it impossible for the large ships of d'Estaing's squadron to pass the bar;—so that after eleven days tarriance he sailed to Rhode Island, in order to co-operate with general Sullivan in an enterprise against Newport.

The approach of the French fleet created the unpleasant necessity of burning the Orpheus, Lark, Juno, and Cerberus frigates; and of sinking the Flora and Falcon. The commander of the garrison, sir Robert Pigot, made every preparation for a vigorous defence; and lord Howe, being at length reinforced by several ships from England—part of a squadron commanded by admiral Byron, tardily dispatched after the Toulon fleet—immediately stood out to sea, though still inferior in force, in order to give battle to

the French admiral, who seemed not unwilling to accept the challenge. After much manœuvring for the weather-gage, the fleets were separated by a violent tempest, by which the great ships of the French squadron were so much damaged, that it was deemed by count d'Estaing absolutely necessary to steer for the port of Boston to refit. General Sullivan was in consequence compelled with chagrin and reluctance to withdraw his troops from Rhode Island.

After the storm, or rather during the storm, when the fury of it had in some degree subsided, the Renown of fifty guns, captain Dawson, fell in with the Languedoc of ninety guns, d'Estaing's own ship, which had lost both her rudder and her masts, whom he engaged with such advantage as to flatter him with the prospect of an immediate capture, when the appearance of several other ships of the squadron compelled him to desist. Captain Raynor in the Isis, and captain Hotham in the Preston, both of fifty guns, fought with great gallantry the Cæsar of seventy-four, commanded by the celebrated Bougainville, and the Tonnant of eighty—but no ship on either side struck her colors. Lord Howe, with all possible expedition, followed his antagonist to Boston, in the hope of a favorable opportunity of attack; but found the French fleet lying in Nantasket Road, so well defended by the forts

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and batteries erected on the points of land and the islands adjacent, that it was adjudged absolutely impracticable. Soon after this (October 1778) lord Howe quitted the command to admiral Gambier, having acquired in the course of the campaign much reputation by his skilful and vigorous exertions in a situation peculiarly critical and hazardous.

The projects of count d'Estaing being effectually disconcerted in America, he sailed in the beginning of November to the West Indies, in order to second the operations of the marquis de Bouillé, governor of Martinico, who had already captured the important island of Dominique, to which he granted terms so favorable that the inhabitants had little reason to regret the change of masters. On the very same day that the French fleet left Boston, a detachment of five thousand troops, under convoy of a small squadron commanded by commodore Hotham, sailed from Sandy Hook, and arrived, fortunately without encountering the enemy in their course, at Barbadoes, December 10, 1778. Without suffering the troops to disembark, an expedition was immediately resolved upon against the island of St. Lucia, where on the 13th a landing was effected. By the active exertions of general Meadows and admiral Barrington, upon whom the command had now devolved, several of

the advanced posts were carried, when count d'Estaing appeared in view with a far superior force, having on board a large body of troops, with which he hoped to effect the entire reduction of the English islands. The squadron of admiral Barrington consisted only of three ships of the line, two of fifty guns, and three frigates, which he stationed across the entrance of the careenage, supported by several batteries erected on shore. On the morning of the 15th of December the French admiral bore down with ten sail of the line, but met with so gallant a reception, that he thought proper in a short time to draw off. In the afternoon he renewed the attack with his whole squadron, and a furious cannonade, directed chiefly against admiral Barrington's division, was kept up for several hours, without making any impression upon the English line; and the French admiral was again obliged to desist from his attack. He now landed a body of five thousand troops, and putting himself at their head, marched with great resolution to the assault of the British lines: but they were received by general Meadows with the same determined valour as they had before experienced from admiral Barrington; and being repulsed with great loss, the count re-embarked his troops, and left the island to its fate. It soon after surrendered to the British arms on honorable terms

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of capitulation, and this conquest was considered as much more than an equivalent for the loss of Dominique.

On the continent of America the war still raged with dreadful and unremitted malignity. In consequence of the horrid mode of warfare adopted by the court of Great Britain, which in the midst of pleasure and festivity issued its orders to desolate and destroy*, an expedition was undertaken by a colonel Butler, in conjunction with one Brandt, an half Indian by birth, and a man beyond example cruel and ferocious, against the beautiful and flourishing settlement of Wyoming. This was an infant rising colony, situated on the eastern branch of the Susquehanna, consisting of eight townships, in a country and climate luxuriantly fertile.

In the month of July, 1778, the enemy appeared in force to the number of about sixteen hundred men, of whom about one-fourth were

* When we consider the round of amusement and dissipation in which the English court was engaged at a crisis so full of horror—the St. James's balls, the Windsor galas, the Buckingham-house concerts, suppers, and card-parties, it brings to recollection the retort of a brave French officer, who, being asked by his sovereign Charles VII. then in danger of dethronement by the English, what he thought of his arrangements for an approaching *fête*, replied, “I think, sire, that it is impossible for any one to lose his kingdom more pleasantly than your majesty.”

Indians, and immediately invested the fort. The commandant knowing its inability to make any effectual defence, dispatched a flag to colonel Butler, to know what terms he would grant on a surrender; to which he replied in two words, **THE HATCHET**; sending in at the same time the bloody scalps of the victims who had already fallen into his hands. The garrison, though resolute to sell their lives as dear as possible, were soon overpowered; and the savage conquerors, after gratifying their infernal rage by a most bloody military execution, shut up the greater part of the survivors in the barracks, to which they set fire, and consumed the whole in one general blaze. The entire settlement was now delivered up to all the horrors of Indian barbarity, of which the detail is not to be endured. A terrestrial paradise was in a short time converted into a frightful waste; and men, women, and children, underwent one common butchery, in all the possible varieties of torture. A provincial officer, of the name of Bedlock, being stripped naked, had his body stuck full of sharp pine splinters; and a heap of knots of the same wood being then piled around him, the whole was set on fire—two other officers also, captains Ransey and Durgie, being thrown alive into the flames. Such are the accursed consequences of that princely ambition which is exalted so high

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above the level of common life as to admit of no sympathy with human misery. Feeling deeply for the honor of Britain, a veil has been perhaps too partially cast over the enormities committed by the Indians employed in the northern expedition, and in other parts of the continent. There are indeed degrees of human depravity and wickedness creative of sensations which no tongue can express, and no language impart*.

To descend to what must be regarded as an authorized and civilized mode of warfare, it is necessary to mention that major-general Grey, an officer who had repeatedly distinguished himself by his military skill and courage, was detached in the month of September from New York on an expedition to a place called Fair-Haven, on the coast of New England, where he destroyed about seventy sail of shipping, together with the magazines, wharfs, stores, &c.; and proceeding to Martha's Vineyard, a beautiful island in the vicinity, he carried off

* “ They ERR who count it glorious to subdue
By conquest far and wide, to over-run
Large countries—deserving freedom more
Than those their conquerors, who leave behind
Nothing but ruin wheresoe'er they rove,
And all the flourishing works of peace destroy—
Then swell with pride, and must be titled Gods.”

MILTON.

an immense booty in oxen and sheep, which afforded a welcome supply to the army at New York.

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In a short time after this, the same officer, acting under the direction of lord Cornwallis, surprised in the night, asleep and naked, a regiment of American light-horse, stationed near the right bank of the North River. Quarter being refused, and the men wholly incapable of resistance, a terrible execution took place, which the congress in a subsequent remonstrance scrupled not to stigmatize as “a massacre in cold blood.” A similar enterprise was undertaken with similar success by captain Ferguson, against a detached corps of Pulawski’s legion of light-infantry; and the Americans were not a little embarrassed to conjecture what those worse extremes of war could be, which the manifesto of the commissioners menaced them with in the future conduct of it.

An undertaking of greater importance was now determined upon by sir Henry Clinton, who detached a considerable body of troops under the command of colonel Campbell, convoyed by a squadron under sir Hyde Parker, to attempt the recovery of the province of Georgia—general Prevost, governor of East Florida, having at the same time orders to co-operate with them. On the 23d of December, 1778, the whole arma

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ment arrived at the mouth of the Savannah. The force which that weak and infant colony was able to oppose to the invaders was soon dispersed, and the town of Savannah fell of course into the hands of the victors. General Prevost soon after arriving with a large reinforcement, took upon him the command of the whole.

From this sketch of the campaign of 1778 in America, it is now expedient to advert to the situation of affairs in Europe. When a war with France appeared inevitable, admiral Keppel, an officer of distinguished merit and reputation, but wholly unconnected with the present ministers, was, on the personal and urgent solicitation of the king, prevailed on to accept the command of the Channel fleet, though, as he himself observed, "his forty years' services were not marked by any favor from the crown, except that of it's confidence in the time of danger." The admiral, at parting, might with propriety have said to his sovereign, as marechal Villars to Louis XIV. "I go to fight your majesty's enemies, and leave mine in your closet."

On the 13th of June the admiral sailed from St. Helen's with twenty ships of the line, and at the entrance of the Bay of Biscay he fell in with the *Licorne* and the *Belle Poule*, two French frigates. Through that feebleness and indecision

of counsels which prevailed at this period in the British cabinet, the admiral had no positive orders as to the commission or avoidance of actual hostilities, but was invested with an unmeaning and, as to himself, dangerous discretion of acting according to circumstances. Perceiving the frigates intent on taking an accurate survey of his fleet, he thought it expedient to fire a gun in order to compel them to bring to; and on their refusal to obey the signal, a chace ensued, when the *Licorne*, after wantonly discharging a whole broadside, struck to the *America* of seventy-four guns. The *Belle Poule*, after a warm engagement with the *Arethusa*, escaped by running on shore. The *Pallas* also, another French frigate, was in the mean time captured and detained. From the papers found on board these frigates the admiral discovered, to his inexpressible astonishment, that the French fleet lying in Brest water amounted to no less than thirty-two sail of the line: he was therefore under the immediate necessity of returning to port for a reinforcement; and, on transmitting accounts of his proceedings to government, he received no intimation of approbation or disapprobation.

On the 9th of July, however, he was enabled again to sail with twenty-four ships, and was soon afterwards joined by six more. In a few days

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he came in sight of the French fleet off Ushant, commanded by M. d'Orvilliers, who seemed, on perceiving the English fleet nearly equal in force, inclined to avoid an engagement; but the wind changing some points in favour of the English, they gained so much upon the enemy that an engagement became inevitable, and the French ranging in order of battle, but on the opposite tack, the fleets passed each other about noon in a diagonal direction. The action, though very warm, was consequently partial; but the English admiral having in a short time sufficiently repaired his damages, made the proper signals for the van and rear divisions to take their respective stations. This order was instantly obeyed by sir Robert Harland, of the van; but admiral sir Hugh Palliser, of the rear or blue division, who had fallen a great way to leeward, took no notice whatever of the signals. Admiral Keppel, after waiting perhaps too long, sent the Fox frigate at five o'clock with peremptory directions to sir Hugh Palliser, to bear down into his wake in order to renew the engagement. Sir Hugh answered, "that he was *knotting and splicing*, but would obey the order as soon as possible."

At six o'clock the commander threw out another signal for ALL SHIPS to come into their stations; and at seven o'clock, wearied with

expectation, he threw out a third signal, for each particular ship of the blue division to come into her station in the line—but all to no purpose; and the day finally closed before sir Hugh Palliser rejoined his commander. In the night the French made sail for their own coast, and in the morning scarcely were the rearmost ships discernible from the topmast heads of the English fleet. Admiral Keppel therefore returned to Portsmouth to refit; but his public letter, containing an account of this transaction, occasioned great speculation—his desire to screen the misconduct of the admiral of the blue inducing him to give such a relation of this engagement as seemed to imply great impropriety of behaviour in the commander himself: for no reason whatever was assigned for not renewing the engagement in the afternoon, except the expectation of the admiral that the French would fight it out handsomely the next day.

It was impossible that the truth should not in some degree transpire; and a well-written letter appearing some time afterwards in the public prints, severely reflecting on the conduct of sir Hugh Palliser, that officer thought proper to require from the commander in chief a formal disavowal of the charges it contained, and a public justification of his character. This the com-

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mander absolutely and indignantly declining, the vice-admiral immediately exhibited articles of accusation against admiral Keppel, for misconduct and neglect of duty on the 27th of July (1778), although he had in the month of October a second time sailed with admiral Keppel, and had never before this so much as whispered a word to his prejudice.

The lords of the admiralty, to the astonishment of the nation, without the least hesitation, and even with apparent alacrity and satisfaction, fixed a day (January 7, 1779,) for the trial of the commander in chief; the result of which was in the highest degree honorable to that brave and injured officer, who was not only unanimously acquitted by the court-martial, but received the thanks of both houses of parliament for his services. Sir Hugh Palliser afterwards demanded a court-martial upon himself, which terminated in a slight censure only; but the resentment of the public was so great, that it was deemed expedient by the ministers to *accept* his successive resignations of his place at the board of Admiralty, his lieutenant-generalship of marines, his government of Scarborough Castle, and to *permit* him to vacate his seat in the house of commons. The acquittal of admiral Keppel was celebrated with illuminations and rejoicings in all parts of the

kingdom ; and the houses of lord Sandwich and sir Hugh Palliser were insulted by the populace, and the demolition of them with difficulty prevented.

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The ready acquiescence of the board of Admiralty in the appointment of the court-martial on a charge so grossly invidious and unjust, gave the highest disgust to the officers of the navy. A strong memorial was presented to his majesty on the subject by the duke of Bolton, signed by twelve admirals, with the venerable Hawke at their head, stating to his majesty, in strong colors, the ruinous consequences which the precedent now introduced would inevitably bring upon all naval service and discipline. "If," said these gallant defenders of their country, "we had conceived that this board had no legal use of their reason in a point of such delicacy and importance, we should have known on what terms we served ; but we never did imagine it possible that we were to receive orders from, and be accountable to, those who by law were reduced to become mere passive instruments to the possible ignorance, malice, or treachery, of any individual who might think fit to disarm his majesty's navy of it's best and highest officers. We conceive it to be disrespectful to the laws of our country, to suppose them capable of such manifest injustice and absurdity."

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The only part of admiral Keppel's conduct really culpable appears to have proceeded from that excess of deference and respect for sir Hugh Palliser, which prevented his adopting those daring and decisive measures the occasion called for in order to improve in the most effectual manner an opportunity of which he had little reason to expect the return. The courage of sir Hugh Palliser had been on many occasions too conspicuous to be questioned ; but that principle of envy, so powerful in some minds, could not endure that a man whom he regarded in the light of a rival should acquire such an addition of fame and superiority as must have resulted from a complete and decided victory.

The session commenced on the 26th of November, 1778. The speech from the throne was loud in complaint of "the unexampled and unprovoked hostility of the court of France ; and regret was expressed that the efforts which had been made for disappointing the malignant designs of the enemy had not been attended with all the success which the justice of the cause, and the vigorous exertions which had been made, seemed to promise." The addresses of both houses, in the usual style of duty and loyalty, were carried by great majorities. But in a short time the attention of parliament was attracted

by a motion made by the marquis of Rockingham, "That an humble address be presented to his majesty, to express the displeasure of the house at the manifesto issued under the seal of the American commissioners on the 3d day of October last; and to acquaint his majesty with the sense of this house, that the said commissioners had no authority whatsoever under the act of parliament, in virtue of which they were appointed to make such declaration; and humbly beseeching that the said manifesto be publicly disavowed by his majesty." The noble mover, in the course of an able and excellent speech, addressed himself to the BISHOPS in a manner peculiarly striking. He observed that "the nature and principle of the war were entirely changed. The right reverend bench, relying on the assurances of ministers, might originally have believed its motives honorable, and its object easily attainable; but the same ministers now declared to all the world, that a totally new system of policy was adopted, America was relinquished, and a new species of war denounced, tending merely and avowedly to revenge, slaughter, and universal destruction. The simple votes of their lordships on this occasion would at once fully express their detestation of the inhuman system in question, and, in con-

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junction with those of the temporal lords who entertained the same sentiments, would fully obviate its effects." After a vehement debate, in which the ministers endeavoured, by refinements of explanation, to palliate what no one dared explicitly to defend, the motion was negatived by a majority of 71 to 37 peers, 31 of whom joined in a protest of uncommon energy and ability. "The public law of nations," said their lordships, "in affirmance of the dictates of nature and the precepts of religion, forbids us to resort to the extremes of war upon our own opinion of their expediency, or in any case to carry on war for the purpose of desolation. We are shocked to see the first law of nature, 'self-preservation,' perverted and abused into a principle destructive of all other laws. Those objects of war which cannot be compassed by fair and honorable hostility ought not to be compassed at all. An end that has no means but such as are unlawful is an unlawful end." It is painful to remark, that the name of one bishop only, the venerable Shipley of St. Asaph, is to be found in the long and illustrious train of signatures affixed to this memorable protest; which, if it wanted any other recommendation to notice than its own intrinsic merit, might with pride recount the names of a Rockingham, a

Camden, an Effingham, a Harcourt, and many others, inferior neither in wisdom nor in virtue to any which this age or country could boast,

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Some time after the Christmas recess, Mr. Fox moved a vote of censure upon lord Sandwich, for sending admiral Keppel, with twenty ships of the line only, to a station off the coast of France, thereby hazarding the safety of the kingdom, the Brest fleet consisting at that time of thirty-two ships of the line, besides a great superiority of frigates. Mr. Fox said, if the present motion was carried, he should follow it with another, for the removal of the first lord of the admiralty. This nobleman had deservedly incurred the public resentment and odium by the countenance he had given to the late prosecution of admiral Keppel. Of this he now felt the effect; the motion of censure being negatived, in a very full house, by a majority of 34 voices only. Encouraged by the unaccustomed strength of the minority on this occasion, Mr. Fox in a few days moved, "That the state of the navy, at the breaking out of the present war, was inadequate to the exigencies of the service." This motion he enforced in a speech of singular ability. In the course of the debate, lord Howe declared his resolution to decline all future service so long as the present ministers continued in office. A decisive experience had

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taught him, that besides risking his honor and professional character in such an attempt, he could not, under such councils, render any essential service to his country. The whole force of the ministry being exerted to parry this attack, the previous question was moved and carried by a majority of 246 to 174 voices.

The indulgence shewn in the last session to the roman catholics made the refusal of the claim of the protestant dissenters appear so extremely invidious on the part of the court, that it was judged improper longer to discourage the application for their relief; and on the motion of sir Henry Houghton, seconded by Mr. Frederic Montague, a bill for that purpose was brought in, and passed through both houses with very trivial opposition. The debate in the house of lords was, however, rendered memorable, by a very remarkable speech of Dr. Shipley, bishop of St. Asaph, the friend and disciple of HOADLEY, and on whom the mantle of that illustrious prelate seemed in an especial manner to have descended. His lordship expressed “his most cordial acquiescence in the repeal of those penal laws which had long been the disgrace of the national church: he objected only to the condition annexed to the repeal—the IMPOSITION of a confession of faith, however short and general and *true*—such as he hoped he should have the

virtue, if called upon, to seal with his blood. But his lordship absolutely disclaimed, for himself, any authority, civil or sacred, to impose this creed upon other men. By such imposition the present bill, which professes to repeal all former penal laws, is converted into a penal law itself; for those who do not subscribe the declaration still remain liable to all the old penalties. The truth contained in the declaration, viz. 'That the scriptures are the revealed will of God, and the rule of faith and practice,' was indeed acknowledged by every protestant. But supposing the existence of any sect of christians who should reject our canon of scripture, who should build their faith on the basis of tradition, or on the supposed illuminations of the Spirit, would you, my lords, persecute them for believing christianity upon arguments that suit their own understandings? Such men would undoubtedly be in error, but error in religion is the very ground and subject of toleration. The evils resulting from this declaration are not however confined to possibilities. Many of the most eminent of the dissenting ministers—men highly deserving esteem for their science, their literature, their critical study of the scriptures, for their excellent writings in defence of christianity, as well as of the civil and religious rights of mankind,—men whom it would be no disparagement to this bench to acknow-

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ledge as friends and brethren, engaged in the same honorable and arduous task of instructing the world in the ways of happiness:—such men as these, my lords, if the clause in question be enacted and carried into execution, will not even be tolerated. Declaring, as they have invariably done, against all human authority in matters of religion, and holding it as a first principle of protestantism, that no church has a right to impose its own articles of faith upon others, they conceive that an acquiescence in this declaration would imply a recognition of that claim which they are bound as christians and protestants to resist. It is the duty of magistrates, it is indeed the very end of magistracy, to protect *all men* in the enjoyment of their natural rights, of which the free exercise of their religion is one of the first and best. All history, my lords, is full of the mischiefs occasioned by the want of toleration; but no one has ever yet pretended to shew that any public evils have been occasioned by toleration. At a meeting of the right reverend bench, where I had the honor to be present, it was asked, ‘Whether the clause in question was ever intended to be put in execution?’ It was answered, ‘No, there was no such intention.’ I asked then, and I ask now, ‘What was the use of making laws that were never to be executed?’ To make useless and insignificant

laws, is not to exercise authority, but to degrade it; it is a vain, idle, and insolent parade of legislation: and yet, my lords, would to God the four last shameful and miserable years had been employed in making such laws as these! this wretched country might still have been safe, and perhaps once more might have been happy. But, my lords, let us for a moment consider to whom this power of prescribing articles of faith is to be confided:—undoubtedly this holy deposit cannot fail to be lodged where we have placed every thing else that is great and good—the honor, the interest, the strength, and revenues of the nation—ALL are placed in the keeping of the MINISTRY. Perhaps, my lords, there might be ministers to whose management none who have the least value for their religion would choose to confide it. One might naturally ask a minister for a good pension, or a good contract, or a place at court; but hardly any one would think of making interest with them for a place in HEAVEN. What I now say applies only to future bad ministers, for of the present administration I most firmly believe that they are fully as capable of defining articles of faith as of directing the councils of the state. The ruling party is always very liberal in bestowing the title of schismatic and heretic on those who differ from them in religion, and in representing them

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as dangerous to the state. My lords, the contrary is the truth. Those who are uppermost, and have the power, are the men who do the mischief, while the schismatics only suffer and complain. Ask, who has brought the affairs of this country into the present calamitous state? Who are the men that have plundered and depopulated Bengal? Who are they that have turned a whole continent, inhabited by friends and kindred, into our bitterest enemies? Yes! they who have shorn the strength and cut off the right arm of Britain, were all members of the ESTABLISHED CHURCH, all orthodox men. I am not afraid of those tender and scrupulous consciences who are over-cautious of professing or believing too much: if they are sincerely in the wrong, I forgive their errors, and respect their integrity. The men I am afraid of, are the men who believe every thing, who subscribe every thing, and who VOTE for every thing."—Upon the whole, it appears but too evident, that the final success of the bill, from which the objectionable clause was not suffered to be expunged, must be attributed not to the candor and equity of the court, but to the general spirit and temper of the times, which were at this period happily and strongly at variance with the spirit of persecution and intolerance.

A far more doubtful and difficult subject of

discussion presented itself, in contemplating the state political and commercial of the kingdom of Ireland; which, by the continuance of the present ruinous war, was now reduced to the most extreme and urgent distress. Lord Newhaven, in concert with various other respectable members particularly connected with that kingdom, attempted to revive the propositions of the last year, with some new modifications, but without effect. At length it was carried by a small majority to repeal that clause in the Act of Navigation in favor of Ireland, by which ships coming from the West Indies were compelled to bring their cargoes directly to England. But this indulgence being opposed by the commercial cities of England, on a subsequent motion for the house to resolve itself into a committee, the minister declared himself averse to the measure, and it was finally lost by a majority of four voices.

A third motion by Mr. Fox, "for the removal of the earl of Sandwich from his majesty's person and councils for ever, was negatived by 221 voices to 118. The HOWES, impatient of the obloquy thrown upon them by the partisans of the court, had earnestly solicited a parliamentary enquiry into their conduct in America; to which the minister at length very reluctantly assented. A multitude of papers were in consequence laid

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BOOK upon the table ; and the house resolving itself
XVIII. into a committee of enquiry, lord Cornwallis,
1778. sir Charles Grey, sir Guy Carleton, and various
other officers of high reputation who had served
in America, were examined at the bar of the
house ; and the result of a long and tedious inves-
tigation was in general, “ That the force sent to
America was at no time equal to the subjugation
of that continent ; that the people of America
were almost unanimous in their enmity and
resistance to Great Britain ; that the nature of
the country was beyond any other difficult and
impracticable for military operations ; and that
there was no fairer prospect of success, in any
subsequent attempt at conquest, than in those
which had been already made.” On the 29th
of June, 1779, the committee was suddenly dis-
solved, without coming to a single resolution on
any part of the business.

In the house of lords, the earl of Bristol*
moved an address to the king, similar to that of
Mr. Fox, for the removal of the earl of Sand-
wich. His lordship supported this motion in a
speech, containing a very extensive display of
political and professional knowledge. This no-
bleman affirmed, “ that about seven millions

* An officer of high rank in the navy, and brother to the
late lord privy seal.

more money had been allotted for the support and increase of our navy during the last seven years than in any former equal period; and that, during this time, the decrease and decline of the navy had been in an inverse ratio to the excess of the expenditure. While such has been the unbounded liberality of parliament, what, exclaimed the noble lord, is become of our navy? or, if there is no navy, what is become of our money?" The motion was rejected by 78 voices to 39. Notwithstanding these repeated acquittals, the reputation of lord Sandwich suffered not a little, by this succession of attacks, in the estimation of the public.

A short time before the prorogation, a royal message was somewhat unexpectedly delivered to both houses, on a subject of the highest importance, informing them, that a manifesto had been presented to his majesty by the count d'Almodovar, ambassador of the king of Spain, containing a declaration of hostility on the part of the catholic king, who had in consequence ordered his ambassador to depart without taking leave. The disclosure of this alarming event, so long predicted by the minority, called forth all their powers of eloquence and invective. The ministers were reminded of their blindness, obstinacy, and incredulity on this subject—of the contempt with which they had treated every

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warning of danger—and of their repeated and triumphant declarations “that Spain could have no interest in joining our enemies—Spain had colonies of her own, and would not set so bad an example as to afford aid or succour to our rebellious colonies. The honor, sincerity, and fidelity of the court of Spain were held up as sacred; and thus were parliament and the nation kept in a constant state of delusion, until they were awakened from their dream by the imminence of the impending ruin.” The address, however, containing the fullest assurances of support, was unanimously agreed to. But a subsequent motion of lord John Cavendish, for the withdrawment of the troops from America, was evaded by a question of adjournment.

In consequence of the acknowledged necessity of new and unprecedented exertions, a plan was formed by the minister for augmenting the militia to double the actual number: and a bill for that purpose passed the commons without difficulty, but met with an unexpected opposition with the lords, and on a division the compulsory clause was thrown out by a majority of 39 to 22 voices; the lord president lord Gower, and both the secretaries of state, giving their votes against it. A solitary provision for raising volunteer companies only remained; and in this state it was returned to the commons, to the great chagrin

of the minister, who openly complained of the desertion of his colleagues in office; nor was his mortification lessened by the taunts of the opposition, who remarked, that the disunion and discord which the administration had been the means of spreading throughout the empire had now seized the cabinet, and was equally visible amongst themselves.

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On the 3d of July the king closed the session with a speech, in which his majesty mentioned it as a happy omen of the success of his arms, that the increase of difficulties seemed only to augment the courage and constancy of the nation. The memorial of count d'Almodovar, and a long justificatory manifesto subsequently published by the court of Madrid, were filled with heavy complaints of the conduct of the English court for several years past, though certainly grounded on no solid reason; the king of England truly affirming in his message to parliament, "That with regard to Spain he had nothing to reproach himself with; and that his desire to cultivate peace and amity with that power had been uniform and sincere." The court of Madrid pretended, that the insults and *incredible violences* offered to the Spanish traders by England, from the year 1776 to the beginning of the present year 1779, were no less than 86 in number; since which other insults and injuries had

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been offered ; so that the whole amount arose to the precise and full complement of one hundred. The only circumstance really important and interesting in this singular manifesto is the discovery that the mediation of Spain had been offered and accepted by Great Britain and France soon after the commencement of hostilities, and that a negociation between these two courts had been actually carried on for the space of eight months.

On the 14th of September, immediately subsequent to the arrival of the count d'Almadovar in London, lord Weymouth declared to his excellency, that the king of England most sincerely desired to terminate the present war by the mediation of his catholic majesty. In consequence of which, the king of Spain, after much discussion, proposed a general truce for a term of years, in order to allow time for the final accommodation of differences. In his ultimatum of the 3d of April, 1778, he offered the city of Madrid for the holding of a general congress for this purpose, to which the colonies should be admitted to send commissioners, and in the mean time to be treated as an independent power ; and that a general disarming should take place within one month in Europe, and four months in America ; his catholic majesty offering at the same time his guarantee of the definitive treaty.

The manifesto states, " That the court of London objected to recognizing the independency of America during the continuance of the truce ; and it forcibly urges, as a thing very extraordinary, and even ridiculous, that the minister, lord North, had, notwithstanding this objection, proposed in the English house of commons that the congress should be treated with as the plenipotentiaries of independent states on the very proviso suggested by Spain, that this concession should not be understood to preclude the subsequent possible relinquishment of that independency. The convention of Saratoga, the cartel settled for the exchange of prisoners, the nomination of commissioners to *supplicate* the Americans for peace at their own doors, are, it is asserted, real and unequivocal acknowledgments of the independency of America. The English nation itself is appealed to by his catholic majesty : ' whether these acts are more consonant with the dignity of the British crown, than would be the granting, at the intercession of his catholic majesty, a suspension of hostilities for the adjustment of differences, and the treating them in this interval as independent states.' Nevertheless the English court positively refused, as the manifesto proceeds to affirm, its assent to the propositions contained in this ultimatum ; declaring, moreover, that France should not interfere in

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the arrangement of the interests of those she *affects* to call her allies ; and, in fine, the English court had the *effrontery* to say, that the drift of Spain was to form, from the pretensions of the colonies to independence, one common cause with them and with France. On the contrary, his catholic majesty declares, that these last proposals were not even communicated to France before they were transmitted to the court of London ; so that the haughty expressions of the English ministry amount merely to this conclusion, ‘ that, in spite of the overture made by themselves, they prefer war to peace, or a treaty under the mediation of the catholic king, whom they *provokingly insulted*, treating him as partial, inconsistent, and leagued with the enemies of Great Britain ; notwithstanding which his catholic majesty did not issue orders for reprisals, but in consequence of the actual commencement of hostilities on the part of Great Britain.” Upon the whole it is evident, from the explicit and curious detail of the whole negociation given in this manifesto, clothed as it is in the stately language of Castilian pride tinged with absurdity, that Spain acted in this business with generosity, openness, and honor. It was undoubtedly determined by both branches of the house of Bourbon, to establish the permanent independency of America ; but this SPAIN at

least wished to effect without involving herself in a war with England; and the expedient suggested by his catholic majesty was certainly the wisest and best which in present circumstances could be adopted: but the pride of the English court was not yet sufficiently humbled to assent to the emancipation of America, though the idea of subjugation became every day more palpably chimerical and extravagant.

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During the recess of parliament, the earl of Stormont, late ambassador at Paris, was made secretary of state, in the room of the earl of Suffolk deceased. Viscount Weymouth a second time resigned the seals of the southern department, which were transferred to the earl of Hillsborough; and earl Bathurst, late chancellor of Great Britain, was nominated president of the council, in the room of earl Gower. The great seal had been consigned, in the course of the preceding year, to the attorney-general Thurlow, created baron Thurlow; a man endowed by nature with uncommon talents, which were concealed, and in effect lost to the world, under an almost impervious veil of moroseness, bigotry, and malevolence.

The state of affairs on the other side of the Atlantic once more demands our attention. The reduction of Georgia by general Prevost and colonel Campbell, though in itself of no great

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importance, excited just alarm in the inhabitants of the Carolinas, which were protected only by their own militia, and an inconsiderable body of continental troops under the command of general Lincoln, who lay encamped at Purisburg, on the north side of the river Savannah, about twenty miles above the town of that name. At the end of April 1779, this officer left that advantageous position, which enabled him effectually to cover the province, and marched along the banks of the river to Augusta, where he expected to be joined by powerful reinforcements; and he hoped, by passing the river, to cut off the communication of general Prevost with the back country, whence he received his supplies. But general Prevost was no sooner apprised of this movement than he determined to pass the Savannah at Purisburg, and make a rapid march towards Charlestown. This, the small force left by general Lincoln to guard the passage of the Savannah was not able to prevent; and the English army, consisting of about 4000 men, including Indians, arrived in the vicinity of that city on the 11th of May. To the chagrin of the English general, he found the place strongly fortified and well secured by the numerous militia which had now collected for its defence. After summoning the city in vain to surrender, he determined, on hearing that general Lincoln

was on his march back to Carolina, to decamp BOOK
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that very night, and took post, after some *détours*,
in the island of Port Royal, to the south of 1779.
Charlestown harbour.

In the mean time sir Henry Clinton was engaged, in conformity to the policy of the English court, whence he derived his instructions, in various predatory expeditions. Sir George Collier and general Matthew, in a descent upon Virginia, burnt the town of Suffolk, and destroyed the vessels, provisions, and stores, found there, and at Gosport, Jenner's Creek, and various other places in that quarter. Sir H. Clinton in person proceeded up the North River, and carried, by great exertions of gallantry, the two important posts of Stoney Point and Verplanks, which the Americans had diligently fortified to preserve the communication between the eastern and western colonies. Another expedition under sir George Collier, governor Tryon commanding the land forces, was projected nearly at the same time against Newhaven in Connecticut, which they plundered, and afterwards proceeded to Fairfield and Norwalk, which they laid in ashes; and also the buildings and farm-houses to the compass of two miles round. At the same time a proclamation was issued by them, declaring "the existence of a single house on the coast to be a striking monument of British

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mercy.” A far more important enterprise was next undertaken by the same officer, for the relief of a fortress lately constructed at the mouth of the river Penobscot, in the eastern confines of New England, and garrisoned by a detachment of king’s troops from Nova Scotia. This post had been for some time closely invested by an armament of considerable force from Boston, which was attacked lying in the river, and almost entirely destroyed by sir George Collier, who took two frigates of twenty and eighteen guns; the remainder, to the amount of seventeen vessels, being stranded and burnt. The superior weight of metal on the part of the English commodore, who hoisted his broad pendant on board the *Raisonnable*, of 64 guns, and whose whole squadron consisted of six ships only, far more than counterbalanced the superiority of numbers on the part of the enemy. On the other hand, the Americans were not without their successes. After the capture of Stoney Point and Verplanks by the English, no pains were spared to make them impregnable to the attacks of the enemy; notwithstanding which a plan was formed by the American general Wayne for the surprisal of the former of these posts, which was carried into execution with great resolution on the night of the fifteenth of July. Neither the deep morass in front of the lines, the double

rows of abbatis, or the incessant and tremendous fire from the batteries, could damp the ardor of the troops, who, attacking with fixed bayonets, carried the works with resistless intrepidity. The clemency of the conquerors was no less conspicuous than their bravery; for, though they had repeatedly been refused quarter in similar situations, the lives of more than 500 men, who threw down their arms, were generously granted.

In a few days another British post at Paulus Hook was surprised in a similar manner; but a better defence being made, the Americans, after storming two redoubts, were repulsed, and obliged to retire, not however without carrying off with them near 200 prisoners.

In the West Indies, soon after the defeat of d'Estaing at St. Lucie, admiral Barrington was joined by admiral Byron; and the English fleet being now superior to that of the French, endeavours were used to force the enemy to a general engagement; but they chose, rather than encounter this risk, to remain inactive in the harbour of Fort Royal. Admiral Byron, however, deeming it expedient to convoy the trade ships, collected at St. Christopher's in June, part of their voyage, count d'Estaing took the opportunity of detaching a considerable force to the island of St. Vincent, which surrendered, though garrisoned by seven companies of regular

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On the 6th of July the two fleets came in sight; but the French, having already effected their purpose, were little inclined, notwithstanding their present superiority, to risk a close engagement. A warm but indecisive action ensued between the van divisions of the two fleets, in the course of which the English discovered, to their astonishment, the French colors flying on the fortress of St. George. In the result the English fleet bore away for Antigua, and the French returned to Grenada.

Count d'Estaing being fully informed of the

critical situation of the southern provinces of America, now unexpectedly directing his course to Georgia, made an easy capture of the Experiment, of 50 guns, with supplies of various kinds on board for Savannah, and three other frigates which he fell in with on his way.

On the 9th of September he anchored off the mouth of the Savannah, to which general Prevost had again retired, and sent a haughty summons to that officer to surrender to the arms of his most christian majesty; to which a spirited answer was returned. The succeeding day, count d'Estaing being joined by general Lincoln, a regular siege commenced, which was sustained with great vigor by general Prevost, assisted by the masterly exertions of colonel Moncrieff, the chief engineer. At length the French commander, being impatient at the slow progress made in the siege, determined upon a general assault; and, after a heavy cannonade, the allies advanced to the attack of the British lines on the morning of the 9th of October. They were every where repulsed with heroic valour. Count d'Estaing himself being wounded in the action, and the troops having sustained great loss, the siege was converted into a blockade, and in a few days entirely raised. A precipitate retreat was made by the Americans, and the count retired to the West Indies; whence he quickly returned to France, much chagrined at the final

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disappointment of the vast hopes and projects which he had originally formed.

Sir Henry Clinton, alarmed at the intelligence of the arrival of the French fleet on the coast, and expecting an attack on New York, had sent orders to general Pigott for the evacuation of Rhode Island, of which the English had now been in possession three years. But, on being fully certified that the French fleet had departed for the West Indies, he resumed the project which he had formed of a grand expedition against South Carolina. On the 26th of December, 1779, sir Henry Clinton sailed with the greater part of the army from New York, under convoy of a fleet commanded by admiral Arbuthnot; and after a tedious and unprosperous voyage, in which much mischief was done, through the tempestuousness of the weather, to the transports and victuallers, the armament arrived off Charlestown-bar, which the men of war passed with some difficulty on the 20th of March 1780, the water rising only nineteen feet in high spring tides. On the 1st of April the British troops broke ground at the distance of about eleven hundred yards in front of the American lines; which, though no more than field works, the English general, willing to spare the effusion of blood, treated with the respectful homage of three parallels—and made his advances with great circumspection. It does not

appear that any considerable exertions were made by the Americans for the relief of this important place, though defended by general Lincoln in person, with a sufficiently numerous garrison; which, if the inhabitants had not shown an insuperable reluctance to abandon the town, might probably with more advantage have taken the field in conjunction with the expected reinforcements. The second parallel being completed on the 20th of April, it was thought expedient to propose terms of capitulation, on condition of the garrison being allowed to withdraw; but this condition was rejected by the English general without hesitation. In a few days the third parallel being carried within one hundred and fifty yards of the American lines, and preparations being made for a general assault, general Lincoln, on being informed by the engineers that the lines were no longer defensible, seeing no prospect of relief, and the flesh provisions remaining in store not being sufficient to furnish rations for a week, consented to deliver up the city on the terms originally proposed by sir Henry Clinton: in consequence of which, about six thousand men, consisting of continental troops, militia, and sailors, became prisoners of war. This event took place on May 4th, 1780. During the siege colonel Tarleton, who commanded a legion of cavalry, particularly

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distinguished himself by the activity and success of his enterprises.

The capital having surrendered, the next object was to secure the general submission of the inhabitants : to this end, a large body of troops under lord Cornwallis marched over the Santee, towards that frontier which borders upon the most populous parts of North Carolina. This movement caused an immediate retreat of such corps as had been there collected for the relief of Charlestown. One of these was unexpectedly attacked and surrounded by Tarleton's legion, which had marched one hundred and five miles in fifty-four hours. A very feeble resistance was made, and by far the greater part immediately threw down their arms, and begged for quarter : but a few continuing to fire, the British cavalry were ordered to charge, and a terrible slaughter was made amongst the unarmed and unresisting Americans ; and from this time *Tarleton's quarter* became proverbial. Soon after this sir Henry Clinton returned to New York, leaving the command in Carolina to lord Cornwallis.

During these transactions in America much alarm had been created in England by the junction of the fleets of France and Spain, which took place very soon after the delivery of the Spanish manifesto. In August, 1779, they entered the channel to the amount of sixty-five ships of

the line, accompanied by a cloud of frigates, sloops, and fire-ships. The English fleet, commanded by sir Charles Hardy, who had received no instructions to prevent this formidable junction, being utterly unable to encounter so prodigious a force, was compelled to retire to the narrow part of the Channel, whilst the flags of France and Spain menaced and insulted the English coasts without molestation or control. Plymouth was, by the unaccountable negligence of the ministers, left so entirely destitute of the means of defence, that the docks and shipping in the harbour might have been destroyed without difficulty. Fortunately this was not known to the confederate commanders; and on the approach of the equinox count d'Orvilliers steered his course back to Brest, without effecting any thing farther than the capture of the Ardent man of war, which had accidentally fallen in with the combined fleets. But the most remarkable consequence resulting from the appearance of this vast armament in the British seas, was the extraordinary vigor and resolution with which it suddenly inspired the inhabitants of the kingdom of Ireland, who had hitherto contented themselves with feeble lamentations and unavailing complaints. Seeing themselves in a manner abandoned by England, their troops withdrawn, their commerce unprotected, their grievances unredressed, military and mercantile associations

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began every where to be formed ; and in a short time, to the astonishment of the world, an army of fifty thousand volunteers, as if by magic, was created, disciplined, and equipped ; and resolutions almost universally passed against the use of British manufactures.

The English ministers, whose fears and apprehensions on this occasion happily supplied their deficiency in justice and liberality, instead of opposing this national rage, furnished the new-raised army with arms from the royal magazines, and thus gave a sanction to a measure which had been adopted without any regard to their consent or approbation. The Irish parliament met on the 12th of October, and, to the usual address brought forward by the courtiers, an amendment was moved and adopted by a great majority, to insert in the body of the address the following words :—“ We beg leave humbly to represent to your majesty, that it is not by temporary expedients, but by a FREE TRADE, that this nation is now to be saved from impending ruin.” In this the lords concurred ; and the addresses were carried up to the lord lieutenant with great parade amidst the acclamations of the people—the duke of Leinster, who commanded the Dublin volunteers, escorting the speaker in person, while the streets were lined with the different military companies on both sides from the parliament house to the castle.

The thanks of both houses were unanimously voted to the volunteer corps throughout the kingdom, for their patriotic exertions; and a six months money bill passed the commons, in order to prevent a sudden prorogation.

Before we investigate the consequences of this new and alarming spirit, it may be proper to notice a farther occasion of misunderstanding between the courts of London and the Hague, from an encounter which took place in the course of the present summer between sir Richard Pearson of the *Serapis* man of war, accompanied by the *Scarborough* frigate, having under their convoy the trade from the Baltic, and captain Paul Jones, an adventurer of desperate fortune and desperate courage, who was commander of a small American squadron, which had for some time past infested the British seas. After a very fierce and bloody action, both the *Serapis* and *Scarborough*, the convoy being first secured, were compelled to strike their colors, and were carried by the captors to the Texel. On this a very strong memorial was presented to the States General by sir Joseph Yorke, who urged in the most pressing terms, "that those ships and their crews may be stopped and delivered up, which the *pirate* Paul Jones, who is a rebel subject and a criminal of the state, has taken." But their high mightinesses answered, "that they will in no respect whatever pretend to judge

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of the legality or illegality of the actions of those who have on the open seas taken any vessels which do not belong to this country, and bring them into any ports of the republic; and that they are not authorized to pass judgment either on those prizes, or on the person of Paul Jones." This was an answer hard of digestion to the English court, and which indeed clearly indicated the partiality of the republic to the cause of America; but the quarrel between the two countries, though evidently growing more and more serious, was not yet sufficiently matured for an actual rupture.

Very early intelligence of the war with France having been sent by express over-land to India, the factories of Chandernagore, Carical, and Masulipatam, were taken possession of without difficulty. The city of Pondicherry was invested by the troops of the company and of the government, commanded by sir Hector Monro, in the autumn of the present year; and, after a gallant resistance by M. de Bellecombe, the governor, it surrendered to the arms of his Britannic majesty. On the other hand, the settlement of Senegal, and the British forts in the river Gambia, were captured by a French squadron under M. de Lauzun.

END OF THE SIXTH VOLUME.

I. GOLD, PRINTER, SHOE LANE.

APPENDIX:

CONTAINING

STATE PAPERS AND AUTHORITIES,

TO THE

SIXTH VOLUME.

PAPERS RELATIVE TO AMERICAN TAXATION.

A. D. 1765.

THE project of taxing America either internally or externally for the express purpose of raising a revenue to be paid into the exchequer of Great Britain, was a novelty in politics and legislation in the highest degree bold, alarming, and dangerous; and the stamp act, of which the fatal effects were so clearly and accurately predicted to Mr. Grenville, produced, immediately on the attempt being made to carry it into execution, the most dreadful disturbances. But that minister had been dismissed from his office some months before the accounts of these commotions had reached England. From the vast variety of letters and papers containing those accounts, are selected the following interesting extracts.

Boston, Aug. 15, 1765.—Yesterday morning, at break of day, was discovered hanging upon a tree, in a street in the town, an effigy, with an inscription shewing that it was intended to represent Mr. Oliver, the secretary, who had lately accepted the office of stamp distributor. * * * It now grew dark, when the mob, which had been gather-

ing all the afternoon, came down to the town-house, bringing the effigy with them. Thence they went to a new building lately erected by Mr. Oliver—this they called the stamp office, and pulled it down to the ground in five minutes. From thence they went to Mr. Oliver's house, before which they beheaded the effigy, and broke all the windows next the street. Then they carried the effigy to Fort-hill, near Mr. Oliver's house, where they burnt the effigy in a bonfire made of the timber they had pulled down from the building. Mr. Oliver had removed his family from his house, and remained himself with a few friends, when the mob returned to attack the house. Mr. Oliver was prevailed upon to retire, and his friends kept possession of the house. The mob finding the door barricaded, broke down the whole fence of the garden towards Fort-hill; and coming on, beat in all the doors and windows of the garden front, and entered the house, the gentlemen there retiring. As soon as they had got possession they searched about for Mr. Oliver, declaring they would kill him. Finding that he had left the house, a party set out to search two neighbouring houses, in one of which Mr. Oliver was; but happily they were diverted from this pursuit, by a gentleman telling them that Mr. Oliver was gone with the governor to the castle, otherwise he would certainly have been murdered.

After eleven o'clock, the mob seeming to grow quiet, the lieutenant-governor, chief justice, and the sheriff, ventured to go to Mr. Oliver's house, to endeavour to persuade them to disperse. As soon as they began to speak, a ringleader cried out "the governor and the sheriff! to your arms, my boys!" presently after a volley of stones followed, and the two gentlemen narrowly escaped through favour of the night.

August 22.—It is difficult to conceive the fury which at present possesses the people of Boston, of all orders and

degrees of men. If a gentleman in common conversation signifies his disapprobation of this insurrection, his person is immediately in danger.

August 31.—It is with the utmost concern that I am obliged to continue the subject of my last letters. After the demolition of Mr. Oliver's house was found so practicable and easy, and that the government was obliged to look on without being able to take any one step to prevent it, and the principal people of the town publicly avowed and justified the act, the mob became highly elated. The lieutenant-governor had been apprised that there was an evil spirit gone forth against him; but being conscious that he had not in the least deserved to be made a party in regard to the stamp act, or the custom-house, he rested in full security that the mob would not attack him; and he was at supper with his family, when he received advice that the mob was coming to him. He immediately sent away his children, and determined to stay in the house himself; but happily his eldest daughter returned, and declared she would not stir from the house unless he went with her; by which means she got him away, which was undoubtedly the occasion of saving his life. Every thing moveable was destroyed in the most minute manner, except such things of value as were worth carrying off. But the loss to be most lamented is, a large and valuable collection of MSS. and original papers: as these related to the history and policy of the country, from the time of its settlement to the present time, and was the only collection of its kind, the loss to the public is great and irretrievable.

It was now becoming a war of plunder, of general levelling, and taking away the distinction of rich and poor, so that those gentlemen who had promoted and approved the cruel treatment of Mr. Oliver, became now as fearful for themselves, as the most loyal person in the town could be. When first the town took this new turn, I was in hopes that they would have disavowed all the riotous pro-

ceedings, those of the first night as well as the last. But it is no such thing: great pains are taken to separate the two riots. What was done against Mr. Oliver, is still approved of as a necessary declaration of their resolution not to submit to the stamp act; and even the cruel treatment of him and his family is justified by its consequences, the frightening him into a resignation; and it has been publicly hinted, that if a line is not drawn between the first riot and the last, the civil power will not be supported by the principal people of the town, as it is assured it shall be now. So that the present authority of the government is only exercised upon condition, and with prescribed limitations.

The accounts received from Pennsylvania, Virginia, and New York, were scarcely less alarming. Resolutions were passed by the provincial assemblies, disclaiming in the strongest terms the right of interior taxation, attempted now for the first time to be exercised by the parliament of Great Britain. The whole continent of America exhibited symptoms of the most dangerous irritation and inflammability. The state of things was evidently and universally tending to open hostility and civil war. The pride and obstinacy of the Grenville administration, being exactly commensurate with their incapacity and folly, no doubt can be entertained but that matters would quickly have been carried to the last extremity, had not a change in the government taken place, and the old ministers been superseded in office by a new and very opposite description of men, whose wise, temperate, and wholesome counsels for a time,—a short and transitory interval indeed,—restored peace, order, and harmony, and suspended, though they could not avert the impending catas-

trophe. Posterity will unquestionably be astonished at the strange infatuation, visible in all the measures of the British government, in the present reign, respecting America, previous to the appointment, and from the period of the dismissal of the Rockingham administration; for the passions and prejudices which were then predominant are hastening into oblivion. But new passions and new prejudices will incite to fresh absurdities, accompanied by a new train of mischiefs; and mankind will again be deceived, and lulled asleep by the same high-sounding phrases as before, of the honour and dignity of the crown, the just rights and authority of parliament, and the real welfare and essential interests of the people. At certain times and periods, reason and philosophy seem indeed to make some progress; but how short is their triumph! like the alternate ebb and flow of the sea, they lose upon the whole as much as they gain; and did not the immortal labours of a few great and transcendent geniuses stand as mighty mounds to guard the intellectual world against the inroads of error and of folly, there is cause to fear lest all traces of truth and even of common sense, should gradually be lost and swallowed up in one vast and fathomless abyss; and darkness once more cover the face of the deep.

On the first receipt of the intelligence relative to the colonial disturbances, Mr. secretary Conway addressed to the governors of the several provinces in North America, the following circular letter:

SIR,

London, October 24, 1765.

It is with the greatest concern that his majesty learns the disturbances which have arisen in some of the North American colonies: if this evil should spread to the government of ———, where you preside, the utmost

exertion of your prudence will be necessary, so as justly to temper your conduct between that caution and coolness which the delicacy of such a situation may demand on the one hand, and the vigour necessary to suppress outrage and violence on the other. It is impossible at this distance to assist you by any particular or positive instruction, because you will find yourself necessarily obliged to take your resolution, as particular circumstances and emergencies may require.

His majesty, and the servants he honours with his confidence, cannot but lament the ill-advised intemperance shewn already in some of the provinces, by taking up a conduct which can in no way contribute to the removal of any real grievance they might labour under; but may tend to obstruct and impede the exertion of his majesty's benevolence and attention to the ease and comfort, as well as the welfare of all his people. It is hoped and expected that this want of confidence in the justice and tenderness of the mother-country, and this open resistance to its authority, can only have found place among the lower and more ignorant of the people. The better and wiser part of the colonies will know, that decency and submission may prevail not only to redress grievances, but to obtain grace and favour; while the outrage of a public violence can expect nothing but severity and chastisement. These sentiments you and all his majesty's servants, from a sense of your duty to, and a love of, your country, will endeavour to excite and encourage. You will all in a particular manner call upon them not to render their case desperate. You will in the strongest colours represent to them the dreadful consequences that must inevitably attend the forcible and violent resistance to acts of the British parliament, and the scene of misery and calamity to themselves, and of mutual weakness and distraction to both countries, inseparable from such a conduct.

If, by lenient and persuasive methods you can contribute

to restore that peace and tranquillity to the provinces, on which depend their welfare and happiness, you will do a most acceptable and essential service to your country; but having taken every step which the utmost prudence and lenity can dictate, in compassion to the folly and ignorance of some misguided people, you will not on the other hand fail to use your utmost power for repelling all acts of outrage and violence, and to provide for the maintenance of peace and good order in the province, by such a timely exertion of force as the occasion may require; for which purpose you will make the proper applications to general Gage, and lord Colville, commanders of his majesty's land and naval forces in America. For however unwillingly his majesty may consent to the exertion of such powers as may endanger the safety of a single subject, yet he cannot permit his own dignity, and the authority of the British legislature to be trampled on by force and violence, and in avowed contempt of all order, duty, and decorum.

If the subject is aggrieved, he knows in what manner legally and constitutionally to apply for relief; but it is not suitable either to the safety or dignity of the British empire, that any individuals, under the pretence of redressing grievances, should presume to violate the public peace.

On the 28th of January, 1766, the house of commons resolved itself into a committee of the whole house, to consider of the papers laid before them, relative to the disturbances in America, and also of the petitions presented from the merchants of London, and all the principal trading towns in the kingdom, representing the shock sustained by the commercial system; in consequence of the late measures, and entreating relief. The committee continued sitting at intervals, till the 21st of February

Among the persons ordered to attend upon this occasion, was the celebrated doctor Benjamin Franklin, whose evidence being peculiarly interesting and important, an extract from it is here subjoined.

Q. What is your name, and place of abode?

A. Franklin, of Philadelphia.

Q. Do the Americans pay any considerable taxes among themselves?

A. Certainly, many and very heavy taxes.

Q. What are the present taxes in Pennsylvania, laid by the laws of the colony?

A. There are taxes on all estates real and personal; a poll tax; a tax on all offices, professions, trades and businesses, according to their profits; an excise on all wine, rum, and other spirit; and a duty of 10*l.* per head on all negroes imported; with some other duties.

Q. For what purpose are those taxes laid?

A. For the support of the civil and military establishments of the country, and to discharge the heavy debt contracted in the last war.

Q. Are you not concerned in the management of the post office in America?

A. Yes. I am deputy post-master-general in North America.

Q. Do you not think the distribution of stamps by post to all the inhabitants very practicable, if there was no opposition?

A. The posts only go along the sea coasts; they do not, except in a few instances, go back into the country; and if they did, sending for stamps by post would occasion an expense of postage, amounting in many cases to much more than that of the stamps themselves.

Q. Are not the colonies, from their circumstances, very able to pay the stamp duty?

A. In my opinion, there is not gold and silver enough in the colonies to pay the stamp duty for one year.

Q. Do you think it right that America should be protected by this country, and pay no part of the expense?

A. That is not the case. The colonies raised, clothed and paid, during the last war, near 25,000 men, and spent many millions.

Q. Were you not re-imbursed by parliament?

A. We were only re-imbursed what in your opinion we had advanced beyond our proportion, or beyond what might reasonably be expected from us. Pennsylvania, in particular, disbursed about 500,000*l.* and the re-imburements, in the whole, did not exceed 60,000*l.*

Q. Do you not think the people of America would submit to pay the stamp duty if it was moderated?

A. No; never, unless compelled by force of arms.

Q. What was the temper of America towards Great Britain before the year 1763?

A. The best in the world. They submitted willingly to the government of the crown; and paid in all their courts obedience to acts of parliament. Numerous as the people are in the several old provinces, they cost you nothing in forts, citadels, garrisons, or armies, to keep them in subjection. They were governed by this country at the expense only of a little pen, ink, and paper. They were led by a thread. They had not only a respect but an affection for Great Britain, for its laws, its customs, and manners; and even a fondness for its fashions, that greatly increased the commerce. Natives of Great Britain were always treated with particular regard. To be an Old England man, was of itself a character of some respect, and gave a kind of rank among us.

Q. And what is their temper now?

A. Very much altered.

Q. Did you ever hear the authority of parliament to make laws for America questioned till lately?

A. The authority of parliament was allowed to be valid in all laws except such as should lay internal taxes. It was never disputed in laying duties to regulate commerce.

Q. In what light did the people of America use to consider the parliament of Great Britain?

A. As the great bulwark and security of their liberties and privileges, and always spoke of it with the utmost respect and veneration.

Q. Have you not heard of the resolution of this house, and of the house of lords, asserting the right of parliament relating to America, including a power to tax the people there?

A. Yes, I have heard of such resolutions.

Q. What will be the opinion of the Americans on those resolutions?

A. They will think them unconstitutional and unjust.

Q. Was it an opinion in America before 1763, that the parliament had no right to lay taxes and duties there?

A. I never heard any objection to the right of laying duties to regulate commerce; but a right to lay internal taxes was never supposed to be in parliament.

Q. On what do you found your opinion, that the people in America made any such distinction?

A. I know that whenever the subject has occurred in conversation where I have been present, it has appeared to be the opinion of every one, that we could not be taxed in a parliament where we were not represented. But the payment of duties laid by act of parliament as regulations of commerce, was never disputed.

Q. But can you name any act of assembly, or public act of any of your governments, that made such distinction?

A. There was never occasion to make any such act till the present attempt to tax us. That has occasioned resolutions of assembly declaring the distinction, in which I

think every assembly on the continent, and every member in every assembly, have been unanimous.

Q. But in case a governor, acting by instruction, should call on an assembly to raise the necessary supplies, and the assembly should refuse to do it, do you not think it would then be for the good of the people of the colony, as well as necessary to government, that the parliament should tax them?

A. I do not think it would be necessary. If an assembly could possibly be so absurd as to refuse raising the supplies requisite for the maintenance of government among them, they could not long remain in such a situation; the disorders and confusion occasioned by it must soon bring them to reason.

Q. You say the colonies have always submitted to external taxes, and object to the right of parliament only in laying internal taxes: now can you shew that there is any kind of difference between the two taxes, to the colony on which they may be laid?

A. I think the difference is very great. An external tax is a duty laid on commodities imported; that duty is added to the first cost and other charges on the commodity, and when it is offered to sale, makes a part of the price. If the people do not like it at that price they refuse it; they are not obliged to pay it. But an internal tax is forced from the people without their consent, if not laid by their own representatives.

Q. Considering the resolutions of parliament as to the right, do you think if the stamp act is repealed, that the North Americans will be satisfied?

A. I think the resolutions of right will give them very little concern, if they are never attempted to be carried into practice. The colonies will probably consider themselves in the same situation, in that respect, with Ireland. They know, you claim the same right with regard to Ireland, but you never exercise it.

Q. Can any thing less than a military force carry the stamp act into execution?

A. I do not see how a military force can be applied to that purpose.

Q. Why may it not?

A. Suppose a military force sent into America, they will find nobody in arms: what are they then to do? They cannot force a man to take stamps, who chuses to do without them. They will not find a rebellion. They may indeed make one.

Q. Suppose an act of internal regulations connected with a tax, how would they receive it?

A. I think it would be objected to.

Q. Then no regulation with a tax would be submitted to?

A. Their opinion is, that when aids to the crown are wanted, they are to be asked of the several assemblies, according to the old established usage, who will, as they have always done, grant them freely; and that their money ought not to be given away without their consent, by persons at a distance, unacquainted with their circumstances and abilities.

Q. But is not the post office, which they have long received, a tax as well as a regulation?

A. No: the money paid for the postage of a letter is not in the nature of a tax; it is merely a *quantum meruit* for a service done. No person is compellable to pay the money, if he does not chuse to receive the service.

Q. Would the people of America live without the administration of justice in civil matters, and suffer all the inconveniences of such a situation for any considerable time, rather than take the stamps, supposing the stamps were protected by a sufficient force, where every one might have them?

A. I think the supposition impracticable, that the

stamps should be so protected as that every one might have them.

Q. But in places where they could be protected, would not the people use them, rather than remain in such a situation, unable to obtain any right, or recover by law any debt?

A. It is hard to say what they would do. I can only judge what other people will think, and how they will act, by what I feel within myself. I have debts due to me in America, and I had rather they should remain unrecoverable by law than submit to the stamp act.

Q. If the stamp act should be repealed, would not the Americans think they could oblige the parliament to repeal every external law now in force?

A. It is hard to answer questions, what people at such a distance will think.

Q. But what do you imagine they will think were the motives of repealing the act?

A. I suppose they will think it was repealed from a conviction of its inexpediency.

Q. What do you mean by its inexpediency?

A. I mean its inexpediency on several accounts: the poverty and inability of those who were to pay the tax; the general discontent it has occasioned; and the impracticability of enforcing it.

Q. If the act should be repealed, would the colonies acquiesce in the authority of the legislature? What is your opinion?

A. I don't doubt at all, that if the legislature repeal the stamp act, the colonies will acquiesce in their authority.

Q. But if the legislature should think fit to ascertain its right to lay taxes by any act, laying a small tax contrary to their opinion, would they submit to pay the tax?

A. An internal tax, how small soever, laid by the legislature here upon the people there, will never be submitted

to. They will oppose it to the last. They do not consider it as at all necessary for you to raise money on them by your taxes, because they are, and always have been, ready to raise money by taxes among themselves, and to grant large sums, equal to their abilities, upon requisition from the crown. They have not only granted equal to their abilities, but during all the last war far beyond their abilities, and beyond their proportion with this country, you yourselves being judges. Every year the king sent down to the house a written message to this purpose, that his majesty being highly sensible of the zeal and vigour with which his faithful servants in North America had exerted themselves in defence of his majesty's just rights and possessions; recommended it to the house to take the same into consideration, and enable him to give them a proper compensation. You will find those messages on your own journals every year of the war to the very last; and you did accordingly give 200,000 *l.* annually to the crown, to be distributed in such compensation to the colonies.

Q. Do you think the assemblies have a right to levy money on the subject there, to grant to the crown?

A. I certainly think so—they have always done it.

Q. When money has been raised in the colonies upon requisitions, has it not been granted to the king?

A. Yes, always; but the requisitions have generally been for some service expressed, as to raise, clothe, and pay troops, and not for money only.

Q. If the stamp act should be repealed, and the crown should make a requisition to the colonies for a sum of money, would they grant it?

A. I believe they would.

Q. Why do you think so?

A. I can speak for the colony I live in; I had it in instruction from the assembly, to assure the ministry that as they always had done, so they should always think it

their duty, to grant such aids to the crown as were suitable to their circumstances and abilities, whenever called upon for the purpose in the usual constitutional manner; and I had the honour of communicating this instruction to that honourable gentleman (Mr. George Grenville), then minister.

Q. Would they do this for a British concern, as suppose a war in some part of Europe that did not affect them?

A. Yes, for any thing that concerned the general interest. They consider themselves as a part of the whole?

Q. Don't you know that there is in the Pennsylvanian charter an express reservation of the right of parliament to lay taxes there?

A. I know there is a clause in the charter, by which the king grants that he will levy no taxes on the inhabitants, unless it be with the consent of the assembly, or by an act of parliament.

Q. How then could the assembly of Pennsylvania assert, that laying a tax upon them by the stamp act was an infringement of their rights?

A. They understand it thus—by the same charter, and otherwise, they are entitled to all the privileges and liberties of Englishmen. They find in the great charters, and the petition and declaration of rights, that one of the privileges of English subjects is, that they are not to be taxed but by their common consent. They have therefore relied upon it from the first settlement of the province, that the parliament never would, nor could, by colour of that clause in the charter, assume a right of taxing them, till it had qualified itself to exercise such right by admitting representatives from the people to be taxed, who ought to make a part of that common consent.

Q. Are there any words in the charter that justify this construction?

A. The common rights of Englishmen, as declared by magna charta, and the petition of right, all justify it.

Q. Does the distinction between internal and external taxes exist in the words of the charter?

A. No, I believe not.

Q. Then may they not by the same interpretation object to the parliament's right of external taxation?

A. They never have hitherto: many arguments have been lately used here, to shew them that there is no difference, and that if you have no right to tax them internally, you have none to tax them externally, or make any other law to bind them. At present they do not reason so; but in time they may possibly be convinced by these arguments.

Q. If the stamp act should be repealed, would it induce the assemblies of America to acknowledge the right of parliament to tax them, and would they erase their resolutions?

A. No, never.

Q. When did you receive the instructions you mentioned?

A. I brought them with me when I came to England, about fifteen months since.

Q. When did you communicate that instruction to the minister?

A. Soon after my arrival, while the stamping of America was under consideration, and before the bill was brought in.

After vehement debates, the act repealing the stamp act, accompanied by the declaratory act, passed both houses, and received the royal assent; which happy event was notified by the following excellent

LETTER FROM MR. SECRETARY CONWAY, TO FRANCIS
BERNARD, ESQ. GOVERNOR OF THE PROVINCE
OF MASSACHUSETT'S BAY.

A. D. 1766.

St. James's, March 31, 1766.

SIR,

Herewith I have the pleasure of transmitting to you the copy of two acts of parliament just passed; the first, for securing the just dependency of the colonies on the mother country—the second, for the repeal of the act of the last session, granting certain stamp duties in America; and I expect shortly to send you a third, for the indemnity of such persons as have incurred the penalties imposed by the act just repealed, as such bill is now depending, and has made a considerable progress in the house of commons.

The moderation, the forbearance, the unexampled lenity and tenderness of parliament towards the colonies, which are so signally displayed in those acts, cannot but dispose the province committed to your care to the return of chearful obedience to the laws and legislative authority of Great Britain, and to those sentiments of respectful gratitude to the mother country, which are the natural, and I trust, will be the certain effects of much grace and condescension, so remarkably manifested on the part of his majesty and of the parliament. And the future happiness and prosperity of the colonies will very

much depend on the testimonies they shall now give of these dispositions. For, as a dutiful and affectionate return to such peculiar proofs of indulgence and affection may now, at this great crisis, be a means of fixing the mutual interests and inclinations of Great Britain and her colonies on the most firm and solid foundations, it cannot but appear visible, that the least coolness or unthankfulness, the least murmuring or dissatisfaction, on any ground whatever of former heat, or much prevailing prejudice, may fatally endanger that union, and give the most severe and affecting blow to the future interest of both countries.

You would think it scarce possible, I imagine, that the paternal care of his majesty for his colonies, or the lenity and indulgence of the parliament, should go further than I have already mentioned; yet so full of true magnanimity are the sentiments of both, and so free from the smallest colour of passion or prejudice, that they seem not only disposed to forgive, but to forget those most undeniable marks of an undutiful disposition, too frequent in the late transactions of the colonies, and which, for the honour of these colonies, it were to be wished, had been more discountenanced and discouraged by those who had knowledge to conduct themselves otherwise.

A revision of the late American trade laws is going to be the immediate object of parliament; nor will the late transactions there, however provoking, prevent, I dare say, the full operation of that kind and indulgent disposition prevailing both in his majesty and parliament, to give to the trade and interests of America every relief which the true state of their circumstances demands or admits.

Nothing will tend more effectually to every conciliating purpose, and there is nothing therefore I have in command more earnestly to require of you, than that you should exert yourself earnestly in recommending it strongly to the assembly, that full and ample compensation be

made to those who, from the madness of the people, have suffered for their deference to the acts of the British legislature. And you will be particularly attentive that such persons be effectually secured from any further insult, and that, as far as in you lies, you will take care, by your example and influence, that they may be treated with that respect to their persons, and that justice in regard to all their pretensions, which their merits and sufferings undoubtedly claim.

The resolutions of the house of commons, which by his majesty's commands I transmit to you to be laid before the assembly, will shew you the sense of that house on these points: and I am persuaded it will, as it most certainly ought, be the glory of that assembly to adopt and imitate those sentiments of the British parliament, founded on the clearest principles of humanity and justice. I must mention the one circumstance in particular that should recommend those unhappy people whom the outrage of the populace has driven from America, to the affection of all that country; which is, that unprovoked by the injuries they had suffered to a forgetfulness of what they owed to truth and their country, they gave their testimonies with knowledge, but without passion or prejudice; and those testimonies had, I believe, great weight in persuading the repeal of the stamp act.

I have only to add, which I do with great pleasure, that every part of your conduct has had the entire and hearty approbation of your sovereign; and that the judicious representations in favour of your province, which appear in your letters, laid before both houses of parliament, seem to have their full weight in all those parts of the American interests to which they relate. And as his majesty honours you with his fullest approbation both for the firmness and temperance of your conduct, so I hope your province will cordially feel what they owe to the

governor, whom no outrage could provoke to resentment nor any insult induce to relax in his endeavours to persuade his majesty to shew his indulgence and favour even to the offending part of his people.

I am, &c. &c.

SPEECH OF GOVERNOR BERNARD TO THE GENERAL
ASSEMBLY OF MASSACHUSETT'S BAY, JUNE 3, 1766.

Of the following speech it may be remarked, that it affords but a very unfavourable specimen of sir Francis Bernard's talents for government. The dispatches of general Conway, at this time secretary of state, to the several American governors, and in particular to governor Bernard, were wise, firm, and temperate, breathing the genuine spirit of conciliation; whereas this prolix speech of the governor contains many invidious and useless, if not groundless censures and reproaches; many expressions calculated to excite irritation and resentment; utterly destitute of the least shadow of warrant from the secretary's letter. This injudicious speech drew from the assembly an angry and petulant reply; and laid the foundation of that sort of acrimonious altercation, which is no less inconsistent with the dignity than the harmony of government, and from which all wise statesmen, carefully and solicitously refrain.

Gentlemen of the Council, and

Gentlemen of the House of Representatives,

I have received a letter from the right honourable Mr. secretary Conway, inclosing two acts of parliament; the one, securing the dependency of the colonies on the mother country; and the other, for the repeal of the stamp act. At the same time he is pleased to signify what his

majesty and his parliament expect from the colonies in return for the indulgencies shewn to them. I am also ordered to recommend to you, that full and ample compensation be made to the late sufferers by the madness of the people. And for that purpose, I am directed to lay before you the votes of the house of commons, expressing their sense upon that subject; whose humanity and justice it is hoped it will be your glory to imitate. The whole of this letter is conceived in such strong patriotic and conclusive terms, that I shall not weaken it by a representation of my own, other than this short recapitulation necessary to introduce what I have to say on the subject.

I cannot but lament that this letter did not arrive before the meeting of the general court. If it had, I flatter myself it would have prevented a transaction which must now be more regretted than ever. I mean your excluding from the king's council the principal crown officers, men not only respectable in themselves, for their integrity, their abilities, and their fidelity to their country, as well as to their king, but also quite necessary to the administration of government in the very station from which you have displaced them. By this you have anticipated the expectations of the king and parliament, and disappointed them before they have been communicated to you. It is not now in your power, in so full a manner as will be expected, to shew your respectful gratitude to the mother country, or to make a dutiful and affectionate return to the indulgence of the king and parliament. It must and will be understood, that these gentlemen are turned out for their deference to acts of the British legislature. Whilst this proceeding has its full effect, you will not, you cannot avoid being chargeable with unthankfulness and dissatisfaction on ground of former heat and prevailing prejudice.

It is impossible to give any tolerable colouring to this proceeding; if it should be justified by asserting a right,

that is, a legal power to chuse whom you please without regard to any considerations whatsoever, the justification itself will tend to impeach the right. But if your right is ever so absolute, the distinction between a right, and the propriety of exercising it, is very obvious; as this distinction has lately been used with great effect to your own interest. Next to wishing that this had never happened, it is to be wished that some measures might be found to draw a veil over it, or at least to palliate it, and prevent its bad effects; which surely must be very hurtful to this province, if it should be maintained and vindicated. If any expedients can be found out for this purpose, I will heartily concur in them; and in general I will make the best use of all means which you shall put into my hands, to save the credit of the province upon this unhappy emergency: and I will set off to the best advantage I can, all other methods which you shall take to demonstrate those sentiments which are expected from you, in the most effectual manner.

Gentlemen of the House of Representatives,

The requisition contained in this letter is of a most singular nature, and the only one of the kind that I have known since I have served his majesty in America. It is founded upon a resolution of the house of commons, formed after a full consideration of the matter, and represented to his majesty by the address of that house. The justice and humanity of this requisition is so forcible, that it cannot be controverted; the authority with which it is introduced should preclude all disputation about complying with it. I hope therefore you will add to the merit of compliance, by the readiness of it, and assume to yourself the honour which now offers itself, of setting the first example of gratitude and dutiful affection to the king and parliament, by giving those proofs of it which are now pointed out to you. I must observe, that it is from the provincial assem-

bly that the king and parliament expect this compensation should be made to the sufferers, without referring them to any other persons whatsoever. Who ought finally to be charged with this expense, may be a proper consideration for you, and I shall readily concur with you in your resolutions thereon, after the sufferers have been fully satisfied.

Gentlemen,

Both the business and the time are most critical; and let me entreat you to recollect yourselves, and consider well what you are about. When the fate of the province is put in a scale, which is to rise or fall according to your present conduct, will you suffer yourselves to be influenced by party animosities or domestic feuds? Shall this fine country be ruined, because every person in the government has not been gratified with honours or offices according to the full of his pretensions? Shall the private interests, passions, or resentments of a few men, deprive this whole people of the great and manifold advantages which the favour or indulgence of their sovereign and his parliament are even now providing for them? There never was at any time whatsoever, so fair a prospect of the improvement of the peace and welfare of this province as is now opening to you. Will you suffer this pleasant view to be intercepted or over-clouded by the ill-humours of particulars? When wealth and happiness are held out to you, will you refuse to accept of them? Surely after his majesty's commands are known, and the terms in which they are signified well considered, the very persons who have created the prejudices and prepossessions which I now endeavour to combat, will be the first to remove them, and prevent their ill effects.

It is now declared that such is the magnanimity of the king and his parliament, that they seem disposed not only to forgive, but to forget those unjustifiable marks of an unduti-

ful disposition too frequent in the late transactions of the colonies. It is my desire to render this grace as beneficial and extensive within this province as it can well be made. But it must be expected, that whosoever intend to take the benefit of it, should entitle themselves to it by a departure from that offensive conduct which is the object of it. Here then will it be necessary to draw a line to distinguish who are, and who are not the proper objects of the gracious intentions of the king and parliament. And if after this proffered grace, any person should go beyond this line, and still endeavour directly, or indirectly, to foment a division between Great Britain and her colonies, and prevent that connexion of policy and union of interests, which are now in so fair a way of being established to perpetuity; surely that man will have much to answer for to both countries, and will probably be called to answer.

But I hope it will not be so, not in a single instance; but that every person, even they who have given the greatest offence, will embrace this opportunity to restore peace to their country, and obtain indemnity for themselves. And all such who shall really desire to recommend themselves to the king's government, either at home or here, may assure themselves, that without a future delinquency, every thing past will, as far as it can, be buried in total oblivion. No one can suspect me of want of sincerity in making this declaration, as too ready a forgetfulness of injuries hath been said to be my weakness; however, it is a failing I had rather suffer by, than be without.

I have spoke to you with sincerity, openness and earnestness, such as the importance of the subject deserves. When the fate of the province seems to hang upon the result of your present deliberations, my anxiety for the event I hope will make my warmth excusable. If I have let drop any word which may seem severe or unkind, let the cause I am engaged in apologize for it: and where the intention is upright, judge of what I say, not by detached

words and syllables, but by its general purport and meaning. I have always been desirous of cultivating a good understanding with you : and when I recollect the former happy times, when I scarce ever met the general court without giving and receiving testimonies of mutual approbation, I cannot but regret the interruption of that pleasant intercourse, by the successful artifices of designing men, enemies to the country as well as to me. But now that my character for affection to the province and attention to its interests is confirmed by the most authentic testimonials, I hope that at the same time you renew your duty to the king, you will resume a confidence in his representative.

ADDRESS OF THE HOUSE OF REPRESENTATIVES OF
MASSACHUSETT'S BAY TO GOVERNOR BERNARD,
JUNE 5, 1766.

May it please your Excellency,

The house have fully considered your excellency's speech of the 3d inst., and beg leave to observe, that as on the one hand no consideration shall ever induce us to remit in the least of our loyalty and gratitude to the best of kings, so on the other, no unprovoked asperity of expression on the part of your excellency, can deter us from asserting our undoubted charter rights and privileges. One of the principal of those is, that of annually choosing his majesty's council for this province.

Had the most excellent letter from one of his majesty's principal secretaries of state, which has been communicated to the house, arrived sooner, it could not have prevented the freedom of our elections ; nor can we, on the strictest examination of the transactions of the day of our general election, so far as the house was concerned, dis-

cover the least reason for regret. So long as we shall have our charter privileges continued, we must think ourselves inexcusable if we should suffer ourselves to be intimidated in the free exercise of them. This exercise of our rights can never with any colour of reason be adjudged an abuse of our liberty.

Lest we should be at a loss for the proceedings and transactions which have given your excellency so much uneasiness, you have been pleased to inform us in express terms, that you mean the excluding from the king's council the principal crown officers, men not only respectable in themselves for their integrity, their abilities, and their fidelity to their country, as well as to their king, but also quite necessary to the administration of government in the very station from whence we have displaced them. Had your excellency thought fit to have favoured us with your sentiments and opinion of the candidates, previous to the election, it could not have more arrested our attention as a breach of our privileges; and it would surely be as proper to give intimations of this kind before, as now the business is past a remedy for this year at least. The assembly of another year will act for themselves, or under such influence and direction as they may think fit. The two crown officers who were of the honourable board last year, and not chosen this, are the lieutenant-governor and secretary. The other gentlemen of the board last year, who are not chosen this, hold only provincial commissions. This province has subsisted and flourished, and the administration of government has been carried on here entirely to the royal approbation, when no crown officers had a seat at the board, and we trust this may be the case again. We find not in the secretary of state's letter the least intimation, that it was expected by his majesty, or his ministry, that we should elect into his majesty's council, the principal, or indeed any other crown officers. For any thing that appears in

the letter, we are left entirely to the exercise of our own judgment, and best discretion, in making our elections agreeably to the royal charter.

If it is not now in our power, in so full a manner as will be expected, to shew our respectful gratitude to the mother country, or to make a dutiful affectionate return to the indulgence of the king and parliament, it shall be no fault of ours: for this we intend, and hope we shall be able fully to effect.

We cannot persuade ourselves that it must, and will be understood, that those gentlemen were turned out, as your excellency is pleased to express it, for their deference to acts of the British legislature. We have given the true reason of this proceeding in our answer to your excellency's first speech of this session. We are under no apprehension, that when the true grounds and reasons of our proceedings shall be known, and candidly considered, we shall be in the least degree chargeable with unthankfulness, and dissatisfaction, on ground of former heat and prevailing prejudice, or on any other ground.

Your excellency says, it is impossible to give any tolerable colouring to this proceeding. The integrity and uprightness of our intentions and conduct are such, that no colouring is requisite, and therefore we shall excuse ourselves from attempting any. We hold ourselves to be quite free in our suffrages, and provided we observe the directions of our charter, and the laws of the land, both which we have strictly adhered to, we are by no means accountable, but to God, and our own consciences, for the manner in which we give them. We believe your excellency is the first governor of this province that ever formally called the two houses of assembly to account for their suffrages, and accused them of ingratitude and disaffection to the crown, because they had not bestowed them upon such persons as, in the opinion of the governor, were quite necessary

to the administration of government. Had your excellency been pleased, in season, to have favoured us with a list, and positive orders whom to choose, we should, on your principles, have been without excuse. But even the most abject slaves are not to be blamed for disobeying their master's will and pleasure, when it is wholly unknown to them.

Your excellency says, "If it should be justified by asserting a right, that is, a legal power to choose whom we please without regard to any considerations whatever, the justification itself will tend to impeach the right." We clearly assert our charter rights of a free election; but for your excellency's definition of this right, viz. "a legal power to choose whom we please without regard to any considerations whatever," we contend not. We made our elections after the most mature and deliberate consideration, and had special regard to the qualifications of all the candidates, and, all circumstances considered, chose those we judged most likely to serve his majesty and promote the welfare and prosperity of his people.

We cannot conceive how the assertion of our clear charter rights of free election, can tend to impeach that right or charter. We would hope that your excellency does not mean openly and publicly to threaten us with a deprivation of our charter privileges, merely for exercising them according to our best judgment and discretion. As dear to us as our charter is, we should think it of very little value, if it should be adjudged that the sense and spirit of it require the electors should be under the absolute direction and controul of the chair, even in giving suffrages; for whatever may be our ideas of the wisdom, prudence, mildness, and moderation of your administration, and of your forgiving spirit, yet we are not sure your successor will possess those shining virtues.

We are very sensible, that be our right of election exer-

so clear and absolute, there is a distinction between a right, and the propriety of exercising it. This distinction we hope will apply itself with full force and all its advantage, to your excellency's reluctant exertion of the prerogative, in disapproving six of the gentlemen chosen by the two houses of assembly; but this being a matter of discretion, is solely within your excellency's breast, and we are taught by your just distinction, that such is the gift of our suffrages. It therefore gives us great pain to have our discretion questioned, and our public conduct thus repeatedly arraigned.

Your excellency has intimated your readiness to concur with us in any palliative or expedient to prevent the bad effect of our elections, which you think must surely be very hurtful to the province, if it should be maintained and vindicated. But as we are under no apprehensions of any such effects, especially when we reflect on the ability and integrity of the council your excellency has approved of, we beg leave to excuse ourselves from any unnecessary search after palliatives or expedients.

We thank your excellency for your kind assurances of using all means to save the credit of this province: but we conceive, that when the true state of the province is represented and known, its credit can be in no kind of danger. The recommendation enjoined by Mr. secretary Conway's letter, and in consequence thereof made to us, we shall embrace the first convenient opportunity to consider and act upon. In the mean time we cannot but observe, that it is conceived in much higher and stronger terms in the speech than in the letter. Whether in thus exceeding, your excellency speaks by your own authority or a higher, is not with us to determine.

However, if this recommendation, which your excellency terms a requisition, be founded on "so much justice and humanity that it cannot be controverted;" if "the

authority with which it is introduced should preclude all disputation about complying with it," we should be glad to know what freedom we have in the case?

In answer to the questions which your excellency has proposed with so much seeming emotion, we beg leave to declare, that we will not suffer ourselves to be in the least influenced by party animosities or domestic feuds, let them exist where they may; that if we can possibly prevent it, this fine country shall never be ruined by any person; that it shall be through no default of ours, should this people be deprived of the great and manifest advantages which the favour and indulgence of our most gracious sovereign and his parliament are even now providing for them. On the contrary, that it shall ever be our highest ambition, as it is our duty, so to demean ourselves in public and in private life, as shall most clearly demonstrate our loyalty and gratitude to the best of kings, and thereby recommend this people to further gracious marks of the royal clemency and favour.

With regard to the rest of your excellency's speech, we are constrained to observe, that the general air and style of it savours much more of an act of free grace and pardon, than of a parliamentary address to the two houses of assembly; and we most sincerely wish your excellency had been pleased to reserve it, if needful, for a proclamation.

In the session of 1767, the fatal project of taxing America was revived by the new chancellor of the exchequer, Mr. Charles Townshend, whose subtile genius first devised, and whose eloquence, with deceitful plausibility, maintained the distinction between taxing the Americans internally and externally, for the purpose of revenue. From

that period the political aspect of affairs became daily more threatening throughout the continent. And upon all occasions the province of Massachusetts Bay appeared to stand foremost in vindication of those rights and liberties which they considered as unjustly and dangerously attacked, and which they were fully determined, if necessary, to expend the last drop of their blood in order to defend.

The resolution taken by the court of London in 1768, to station a military force in the vicinity of Boston, excited the most indignant emotions of anger and resentment. The system of oppression under which they felt themselves fettered and enthralled was now, as it seemed, to be openly supported, and finally established by the power of the sword.

On the 12th September, 1768, a general meeting was convened, of the freeholders and other principal inhabitants of the town of Boston, at Faneuil-hall, of which Mr. James Otis was chosen moderator. The meeting being opened with prayer by the reverend doctor Cooper, the following votes unanimously passed :

That it having been reported in this town meeting, that his excellency the governor has intimated his apprehensions that one or more regiments of his majesty's troops are daily to be expected here—the honourable Thomas Cushing, Esq. Mr. Samuel Adams, Richard Dana, Esq. Benjamin Kent, Esq. and Dr. Joseph Warren, be a committee to wait upon his excellency, humbly requesting that he would be pleased to communicate to the town the grounds and assurances he may have thereof.

That the following petition be presented to his excellency the governor; the committee appointed for that purpose being directed humbly to request his excellency to favour the town with an immediate answer.

TO HIS EXCELLENCY FRANCIS BERNARD, ESQ.

May it please your Excellency,

The inhabitants of the town of Boston, legally assembled, taking into consideration the critical state of the public affairs, more especially the present precarious situation of our invaluable rights and privileges, civil and religious, most humbly request that your excellency would be pleased forthwith to issue precepts for a general assembly to be convened with the utmost speed, in order that such measures may be taken, as in their wisdom they may think proper, for the preservation of our said rights and privileges, &c.

A committee was also appointed to take the state of public affairs into consideration, and to report the measures they apprehended most salutary to be taken in the present emergency.

The answer of the governor to the request and petition of the meeting was as follows :

Gentlemen,

My apprehensions that some of his majesty's troops are to be expected in Boston, arise from information of a private nature : I have received no public letters notifying to me the coming of such troops and requiring quarters for them ; whenever I do, I shall communicate them to his majesty's council. The business of calling another assembly for this year is now before the king, and I can do nothing in it until I receive his majesty's commands.

The committee appointed to take the state of public affairs into consideration, made a report on the 13th September, containing the following resolves :

That the levying money within this province for the use and service of the crown, in other manner than the same is granted by the great and general court or assembly of this province, is in violation of the royal charter, and the undoubted rights of British subjects. And, that the raising or keeping a standing army in this province without their consent in person, or by representatives of their own free election, would be an infringement of their natural, constitutional, and chartered rights.

The question being put, whether the same shall be accepted and recorded, it passed unanimously in the affirmative.

And furthermore, as his excellency the governor had declared himself unable, at the request of this town, to call a general court, which is the assembly of the states of this province, for the redress of grievances, it was with the same zeal and unanimity voted,

That the SELECT MEN be directed to write to the several towns within the province, proposing that a CONVENTION be held at Faneuil-hall, in Boston, on the 22d September instant.

Resolutions also at the same time passed, recommending to the householders throughout the provinces to provide themselves, agreeably to an existing law, with fire-arms, &c. in order to be prepared against any sudden danger—and directing the select men to wait upon the several ministers of the gospel within the town, being of opinion, as they expressed themselves, that it greatly behoves a people professing godliness, to address the Supreme Ruler of the world, on all occasions, for that wisdom which is profitable to direct, desiring that the next Tuesday may be set apart, as a day of fasting and prayer.

On the 22d of September, 1768, the convention thus irregularly summoned, assembled at Faneuil-hall, delegated from sixty-six, afterwards increased to ninety-eight towns of the provinces, besides districts. Their debates and proceedings were open, and in a short time they agreed upon the following petition to his excellency the governor.

May it please your Excellency,

The committee chosen by the several towns in this province, and now convened in Boston, to consult and advise such measures as may most effectually promote the peace and good order of his majesty's subjects in this government, at this very dark and distressing time, take the earliest opportunity openly to disclaim all pretence to any authoritative or government acts: nevertheless, as we freely and voluntarily come from the different parts of the province, at the earnest desire of the inhabitants, and must be supposed to be well acquainted with their prevailing temper, inclination, and sentiments, under the present threatening aspect of our public affairs, we think ourselves indispensably obliged, from a sense of duty to his majesty, to whom we and the people of this province bear the firmest allegiance, and from the tenderest concern for the welfare of his subjects, with all due respect to your excellency, to declare our apprehensions of the absolute necessity of a general assembly. If ever this people needed the direction, the care, and the support of such an assembly, we are humbly of opinion that their present circumstances immediately require it.

Your excellency cannot be insensible of their universal uneasiness, arising from their grievances—occasioned by the late acts of parliament for an America revenue; from an authentic information that the dutiful and loyal petition of the late house of representatives has not been allowed to reach the presence of our gracious king; from the dis-

solution of the late general assembly ; from undoubted advice, that the enemies of Britain and the colonies are still unwearied in the most gross misrepresentations of the people of the province to his majesty's ministers, as being on the eve of a general insurrection ; and from the alarming intelligence that the nation, by means of such misrepresentations, is incensed to a high degree, so that it is generally apprehended that a standing army is immediately to be introduced among the people, contrary, as we apprehend, to the bill of rights ;—a force represented to be sufficient to over-awe and controul the whole civil power of the province ; which must render every right and possession dreadfully precarious.

From these weighty considerations, and also that the people may not be thrown into a total despair ; that they may have a fresh opportunity at the next meeting of the parliament, of taking off the impression from the mind of the nation, made by such misrepresentation as is before mentioned, and by that means, preventing the most unhappy consequences to the parent country, as well as ourselves ; we beg leave most earnestly to pray, that your excellency would commiserate his majesty's truly loyal subjects of this province, under their deplorable circumstances, and restore to them the full possession of their invaluable charter right to a general assembly, and cause one to be immediately convened, that the most effectual measures may be taken in the manner prescribed by our happy constitution, for the redress of grievances, for the preventing an unconstitutional encroachment of military power on the civil establishment, for the promoting the prosperity of his majesty's government, and the peace, good order, and due submission of his subjects in the province, and making the necessary provision for the support of government ; and finally, for the restoration of that harmony, union, and affection between the nation and the colonies, which appear to us to be in the utmost danger of

being totally and irrecoverably lost. As in duty bound the committee shall ever pray.

In the name and behalf of the committee,
 THOMAS CUSHING, chairman.

This temperate, judicious, and respectful petition, the governor thought proper to refuse to receive; assigning as his reason, in a paper which he delivered to the gentlemen nominated to present it, that such reception would be an admission of the legality of the meeting, which he could by no means allow.

The day following the chairman acquainted the committee, that he had received from the secretary of the province, a writing signed by the governor, and addressed to the gentlemen assembled at Faneuil-hall, under the name of a committee of convention.

The writing was ordered to be publicly read as follows:

BY HIS EXCELLENCY FRANCIS BERNARD, ESQ. &c. &c.

As I have lately received from his majesty strict orders to support his constitutional authority within this government, I cannot sit still and see so notorious a violation of it as the calling an assembly of the people by private persons only: for a meeting of the deputies of the towns, is an assembly of the representatives of the people to all intents and purposes; and it is not the calling it a committee of convention, that will alter the nature of the thing.

I am willing to believe that the gentlemen who so hastily issued the summons for this meeting, were not aware of the high nature of the offence they were committing; and they who have obeyed them, have not well considered of the penalties which they will incur, if they should persist in continuing their session, and doing business therein. At present, ignorance of law may excuse what is past; a step farther will take away that plea. It is therefore my

duty to interpose at this instant, before it is too late. I do therefore earnestly admonish you, that instantly, and before you do any business, you break up this assembly and separate yourselves. I speak to you now as a friend to the province, and a well-wisher to the individuals of it. But if you should pay no regard to this admonition, I must, as a governor, assert the prerogative of the crown in a more public manner. For assure yourselves I speak from instruction: the king is determined to maintain his entire sovereignty over this province; and whoever shall persist in usurping any of the rights of it, will repent of his rashness.

On the 24th of September, 1768, five gentlemen were appointed to wait upon the governor with the following address:

May it please your Excellency,

The committee from a number of towns in this province, now convened at Faneuil-hall, having received from your excellency a message containing a remonstrance against our thus meeting, and an admonition to break up and separate ourselves instantly, and before we do any business; have taken the same into our serious and attentive consideration; and we assure your excellency, that though according to the best of our abilities we have considered the matters that are hinted by your excellency as the foundation of your message, yet we are not able to collect sufficient information therefrom, to place our present meeting and proceedings in the same light in which they seem to lie in your excellency's mind. We do assure your excellency most freely, that neither the views of our constituents in sending us, nor the design of any of us in this meeting, was to do, propose, or consent, to any thing oppugnant

to, or inconsistent with, the regular execution of government in this his majesty's province; and that though the letters from the select men of the town of Boston, to the respective towns from which we came, might first give rise to our being chosen and sent; yet that neither the said letter from the select men of the town of Boston, nor any votes of the said town accompanying the same, were considered by our respective towns in the choosing, nor by us in our assembling, as the foundation and warrant of our convening. But may it please your excellency, being assured that our constituents as well as ourselves, have the most loyal and affectionate attachment to the person and government of our rightful sovereign king George III. we beg leave to explain to your excellency the real cause and intention of our meeting.

Your excellency cannot be unacquainted with the many difficulties under which his majesty's subjects on the whole continent of America, apprehend themselves to labour, and of the uneasiness which the subjects in this province have repeatedly expressed on the same account. The minds of the people who have sent us are greatly disturbed, that the humble and dutiful petition of their representatives, for the removal of those difficulties, has not been permitted to reach the royal ear: and they are greatly agitated with the expectation of a standing army being posted among us, and of the full exertion of a military government. Alarmed with these apprehensions, and deprived of a house of representatives, their attention is too much taken off from their daily occupations. Their morals and industry are in danger of being damaged, and their peaceable behaviour disturbed for want of such persons as they can confide in, to advise them in these matters, and to make application for their redress.

Your excellency will further naturally conceive, that those of his majesty's subjects who live remote from Bos-

ton, the centre of their intelligence, and whose occupations do not admit of much knowledge of public affairs, are subjected to many misrepresentations of their public concerns, and those generally of a most aggravated kind: nor is it in the power of the most knowing persons amongst us, to wipe off the pernicious effects of such rumours, without the appearance of a public inquiry.

Induced by these motives, and others of the same kind, our constituents thought it no ways inconsistent with good order and regular government, to send committee men to meet with such committees as might be sent from the several towns in the province to confer upon these matters, and learn the certainty of those rumours prevailing amongst us; and to consult and advise, as far as comes legally within their power, to such measures as would have the greatest tendency to preserve the peace, and good order among his majesty's subjects, and promote their due submission; and at the same time to consult the most regular and dutiful manner of laying our grievances before our most gracious sovereign, and obtaining a redress of the same. This, we assure your excellency, is the only cause and intention of our thus convening; and we are exceeding sorry it should be viewed by your excellency in an obnoxious light.

Your excellency may be assured, that had our constituents conceived, or did their committee thus convened, conceive this proceeding to be illegal, they had never sent us, nor should we pretend to continue our convention: but as your excellency, in the message with which you have been pleased to favour us, has not been so explicit in pointing out the criminality of our present proceedings as we could have wished, but has left us to our own judgment and understanding to search it out, we would with all duty to your excellency, as the representative of our rightful sovereign, request of your excellency to point out to

us wherein the criminality of our proceedings consists, being assured we cautiously mean to avoid every thing that has the least appearance of usurpation of government in any of its branches, or any of the rights of his majesty's sovereignty, or that is in the least incentive to rebellion, or even a mental disaffection to the government, by a law established and exercised.

Your excellency will be pleased, in your well-known knowledge of human nature, and the delicacy of British privileges, to be sparing in your frowns on our present proceeding; we being at present inclined to think, till better informed, that if criminality be imputed to us, it will be applied only to our doings, and not to the professed manner and design of our meeting. But if your excellency has a different apprehension of the matter, we entreat an explanation of the same, and assure your excellency we shall deliberately attend to it. Nothing could give us more uneasiness than a suggestion that our proceedings are criminal; not so much from a fear of personal punishment, as from a fixed aversion we have to any thing inconsistent with the dignity of our sovereign, and the happiness of his extended dominion: and we flatter ourselves, that when the real design of this convention is understood, it will prove an argument to evince the entire loyalty of his majesty's subjects in this province, and their disposition to peace and good order.

In the name and behalf of the committee of a number of towns in this province convened in Boston, September 24th, 1768,

THOMAS CUSHING, chairman.

The gentlemen appointed to present this address, reported also in writing, that they had waited for this purpose on his excellency, who was pleased to say he could not receive the message.

On the 29th of September the committee of convention,

which appears to have acted under some degree of intimidation from the threats of the governor, after drawing up a representation of the grievances and apprehensions of their constituents, thought it expedient to terminate their short but dangerous session, which served only to indicate the distempered state of the public mind in this great colony, arising from the strange and pernicious policy which actuated the counsels of the mother country.

On the 1st of October following, a great military force entered the town of Boston, in a sort of triumphal array; a very considerable fleet being at the same time stationed in the harbour, so that the inhabitants considered themselves as proscribed persons, over whose heads the sword was suspended by a single hair; and the golden cord by which America had been hitherto bound to Britain, in interest, in duty, and affection, was, by the wicked magic of ministers, transformed into the iron chain of a vile and remorseless despotism.

On the 27th of October, 1768, an address was presented to general Gage, commander in chief of the army, by a class of men, whose sentiments merited in the present crisis the deepest attention and regard: these were the members of the council of the province of Massachusetts Bay; men of the highest respectability in the province, and whose opinion in all matters relative to the peace and welfare of it, a wise government would have been solicitous to obtain as the best and the safest guide to follow.

ADDRESS OF HIS MAJESTY'S COUNCIL OF THE PROVINCE
OF MASSACHUSETT'S BAY, TO HIS EXCELLENCY
GENERAL GAGE, &c.

SIR,

A general council being held yesterday, gives the distant members of it, together with members in the town

and neighbourhood, the pleasure of addressing you. We take the first opportunity of doing it, and at the same time of paying our compliments to your excellency.

In this time of public distress, when the general court of the province is in a state of dissolution; when the metropolis is possessed with troops, and surrounded by ships of war, and when more troops are daily expected, it affords a general satisfaction, that your excellency has visited the province, and has now an opportunity of knowing the state of it by your own observation and inquiry. Your own observations will give you the fullest evidence, that the town and province are in a peaceful state. Your own inquiry will satisfy you, that though there have been disorders in the town of Boston, some of them did not merit notice; and that such as did, have been magnified beyond the truth. Those of the 18th March, and 10th June, are said to have occasioned the above-mentioned armament to be ordered hither. The first was trivial, and could not have been noticed to the disadvantage of the town, but by persons inimical to it; especially as it happened in the evening of a day of recreation. The other was criminal, and the actors in it were guilty of a riot; but we are obliged to say it had its rise from those persons who are loudest in their complaints about it, and who by their over-charged representations of it, have been the occasion of so great an armament being ordered hither. We cannot persuade ourselves to believe they have sufficient evidence to support such representations, which have most unjustly brought into question the loyalty of as loyal a people as any in his majesty's dominions.

This misfortune has arisen from the accusation of interested men, whose avarice having smothered in their breasts every sentiment of humanity towards this province, has impelled them to oppress it to the utmost of

their power, and by the consequence of that oppression essentially to injure Great Britain.

From the candour of your excellency's sentiments, we assure ourselves you will not entertain any apprehension that we mean to justify the disorders and riotous proceedings that have taken place in the town of Boston. We detest them, and have repeatedly and publicly expressed that detestation, and in council have advised governor Bernard to order the attorney-general to prosecute the perpetrators of them: but at the same time we are obliged to declare, in justice to the town, that the disorders of the 10th of June last, occasioned by a seizure made by the officers of the customs, appear to have originated with those who ordered the seizure to be made. The hour of making the seizure, at or near sun-set, the threats and armed force used in it, the forcibly carrying the vessel away, and all in a manner unprecedented, and calculated to irritate, justify the apprehension, that the seizure was accompanied with those extraordinary circumstances in order to excite a riot, and furnish plausible pretences for requiring troops a day or two after the riot. And, as if in prosecution of the last mentioned purpose, notwithstanding there was not the least insult offered to the commissioners of the customs, either in their persons or property, they thought fit to retire, on the pretence of security to themselves, on board the Romney man of war, and afterwards to Castle William; and when there, to keep up the idea of their being still in great hazard, procured the Romney and several other vessels of war to be stationed as if to prevent an attack upon the castle, which they affected to be afraid of.

These proceedings have doubtless taken place to induce a belief among the officers of the navy and army, as they occasionally came hither, that the commissioners were in danger of being attacked, and procure from those officers representations coincident with their own, that they really

were so ; but their frequent landing on the main land, and making incursions into the country, where it would have been easy to seize them if any injury had been intended, demonstrates the insincerity of the declarations that they immured themselves at the castle for safety. This is rather to be accounted for as being an essential part of the concerted plan for procuring troops to be quartered here, in which they and their coadjutors have succeeded to their wish, but unhappily to the mutual detriment and uneasiness of both countries.

We thought it absolutely necessary, and our duty to the town and province requires us to give your excellency this detail, that you might know the sentiments of this people, and that they think themselves injured, and injured by men to whom they have done no injury. From the justness of your excellency, we assure ourselves your mind will not admit impressions to their disadvantage, from persons who have done the injury.

Your excellency, in your letter to governor Bernard of the 12th September, gave notice, that one of the regiments from Halifax was ordered for the present to Castle William, and the other to the town ; but you was pleased afterwards to order them both into the town. If your excellency, when you know the true state of the town, which we can assure you is quite peaceable, should think his majesty's service does not require those regiments to continue in the town, it will be a great ease and satisfaction to the inhabitants if you will please to order them to Castle William, where commodious barracks are provided for their reception, or to Point Shirley, in the neighbourhood of it, in either of which, or in both, they can be well accommodated.

As to the two regiments expected here from Ireland, it appears from lord Hillsborough's letter of the 30th July, they were intended for a different part of North America.

If your excellency should not think it inconsistent with

his majesty's service that they should be sent to the place of their first destination, it will contribute to the ease and happiness of the town and province if they might be ordered thither.

As we are true and faithful subjects of his majesty, have an affectionate regard for the mother country, and a tender feeling for our own, our duty to each of them makes us wish, and we earnestly beg your excellency to make, a full inquiry into the disorders above-mentioned, into the causes of them, and the representations that have been made about them; in doing which, your excellency will easily discover who are the persons that from lucrative views have combined against the peace of the town and province, some of whom it is probable have discovered themselves already, by their own letter to your excellency.

In making the inquiry, though many imprudencies and some criminal proceedings may be found to have taken place, we are persuaded, from the candour, generosity, and justice, which distinguish your character, your excellency will not charge the doings of a few, and those of an inferior sort, upon the town and province: and with regard to these individuals, if any circumstances shall appear justly to extenuate the criminality of their proceedings, your excellency will let them have their effect: and on the same candour and generosity we can rely, that your excellency's representations of this affair to his majesty's ministers, will be such as even the criminals themselves will allow to be just.

Boston, October 27, 1768.

(Signed)

J. DANFORTH.

To this address general Gage returned a cold and evasive answer, stating the obligation he was under to act conformably to the orders he had received, and expressing

his hope that the future behaviour of the inhabitants would justify the most favourable construction of their past conduct, and afford him a sufficient foundation to represent to his majesty the propriety of withdrawing the greater part of the troops.

PROTEST AGAINST THE ACT FOR THE BETTER REGULATING THE GOVERNMENT OF THE PROVINCE OF MASSACHUSETT'S BAY.

A. D. 1774.

Die Mercurii, 11^o Maii, 1774.

The question being put, whether the bill entitled "An Act for the better regulating," &c. with the amendments, do pass; after a long debate it was resolved in the affirmative.

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Dissentient,

I. Because this bill, forming a principal part in a system of punishment and regulation, has been carried through the house without a due regard to those indispensable rules of public proceeding, without the observance of which no regulation can be prudently made, and no punishment justly inflicted. Before it can be pretended that those rights of the colony of Massachusetts Bay in the election of counsellors, magistrates and judges, and in the return of jurors, which they derive from their charter, could with propriety be taken away, the definite legal offence by which a forfeiture of that charter is incurred, ought to have been clearly stated, and fully

proved. Notice of this adverse proceeding ought to have been given to the parties affected, and they ought to have been heard in their own defence. Such a principle of proceeding would have been inviolably observed in the courts below. It is not technical formality, but substantial justice. When, therefore, the magnitude of such a cause transfers it from the cognizance of the inferior courts to the high judicature of parliament, the lords are so far from being authorized to reject this equitable principle, that we are bound to an extraordinary and religious strictness in the observance of it. The subject ought to be indemnified by a more liberal and beneficial justice in parliament for what he must inevitably suffer by being deprived of many of the forms which are wisely established in the courts of ordinary resort, for his protection against the dangerous promptitude of arbitrary discretion.

II. Because the necessity alleged for this precipitate mode of judicial proceeding cannot exist. If the numerous land and marine forces which are ordered to assemble in Massachusetts's Bay are not sufficient to keep that single colony in any tolerable state of order until the cause of its charter can be fairly and equally tried, no regulation in this bill, or in any of those hitherto brought into the house, are sufficient for that purpose; and we conceive that the mere celerity of a decision against the charter of that province, will not reconcile the minds of the people to that mode of government which is to be established upon its ruins.

III. Because lords are not in a situation to determine how far the regulations of which this bill is composed agree or disagree with those parts of the constitution of the colony that are not altered, with the circumstances of the people, and with the whole detail of their municipal institutions. Neither the charter of the colony, nor any account whatsoever of its courts and judicial proceed-

ings, their mode, or the exercise of their present powers, have been produced to the house. The slightest evidence concerning one of the many inconveniences stated in the preamble of the bill to have arisen from the present constitution of the colony judicatures, has not been produced, or even attempted. On the same general allegations of a declamatory preamble, any other right, or all the rights of this, or any other public body, may be taken away, and any visionary scheme of government substituted in their place.

IV. Because we think that the appointment of all the members of the council, which by this bill is vested in the crown, is not a proper provision for preserving the equilibrium of the colony constitution. The power given to the crown, of occasionally increasing or lessening the number of the council on the report of governors, and at the pleasure of ministers, must make these governors and ministers masters of every question in that assembly; and by destroying its freedom of deliberation, will wholly annihilate its use. The intention avowed in this bill, of bringing the council to the platform of other colonies, is not likely to answer its own end, as the colonies where the council is named by the crown are not at all better disposed to a submission to the practice of taxing for supply without their consent, than this of Massachusetts's Bay. And no pretence of bringing it to the model of the English constitution can be supported, as none of those American councils have the least resemblance to the house of peers. So that this new scheme of a council stands upon no sort of foundation which the proposers of it think proper to acknowledge.

V. Because the new constitution of judicature provided by this bill, is improper, and incongruous with the plan of the administration of justice in Great Britain. All the judges are to be henceforth nominated not by the crown but by the governor; and all, except the judges of the superior

court, are to be removeable at his pleasure, and expressly without the consent of that very council which has been nominated by the crown. The appointment of the sheriff is by the will of the governor only, and without requiring in the person appointed any local or other qualification. That the sheriff, a magistrate of great importance to the whole administration and execution of all justice civil and criminal, and who in England is not removeable even by the royal authority during the continuance of the term of his office, is by this bill made changeable by the governor and council as often, and for such purposes, as they shall think expedient. The governor and council, thus entrusted with powers with which the British constitution has not trusted his majesty and his privy council, have the means of returning such a jury in each particular cause as may best suit with the gratification of their passions and interests. The lives, liberties, and properties of the subject are put into their hands without controul, and the invaluable right of trial by jury is turned into a snare for the people, who have hitherto looked upon it as their main security against the licentiousness of power.

VI. Because we see in this bill the same scheme of strengthening the authority of the officers and ministers of state, at the expense of the rights and liberties of the subject, which was indicated by the inauspicious act for shutting up the harbour of Boston. By that act, which is immediately connected with this bill, the example was set, of a large important city containing vast multitudes of people, many of whom must be innocent, and all of whom are unheard, by an arbitrary sentence deprived of the advantage of that port upon which all their means of livelihood did immediately depend. This proscription is not made determinable on the payment of a fine for an offence, or a compensation for an injury; but is to continue till the ministers of the crown shall think fit to advise the king

in council to revoke it. The legal condition of the subject, standing unattainted by conviction for treason or felony, ought never to depend upon the arbitrary will of any person whatsoever. This act, unexampled on the records of parliament, has been entered on the journals of this house as voted *nemine dissentiente*, and has been stated in the debate of this day to have been sent to the colonies as passed without a division in either house, and therefore as conveying the uncontroverted universal sense of the nation. The despair of making effectual opposition to an unjust measure, has been construed into an approbation of it. An unfair advantage has been taken, on the final question for passing that penal bill, of the absence of those lords who had debated it for several hours, and strongly dissented from it on the second reading; that period on which it is most usual to debate the principle of a bill. If this proceeding were to pass without animadversion, lords might think themselves obliged to re-iterate their debates at every stage of every bill which they oppose, and to make a formal division whenever they debate.

VII. Because this bill, and the other proceedings that accompany it, are intended for the support of that unadvised scheme of taxing the colonies, in a manner new and unsuitable to their situation and constitutional circumstances. Parliament has asserted the authority of the legislature of this kingdom supreme and unlimited over all the members of the British empire. But the legal extent of this authority furnishes no argument in favour of an unwarrantable use of it. The sense of the nation on the repeal of the stamp act was, that in equity and sound policy, the taxation of the colonies for the ordinary purposes of supply ought to be forborne; and that this kingdom ought to satisfy itself with the advantages to be derived from a flourishing and increasing trade, and with the free grants of the American assemblies, as being far more beneficial,

far more easily obtained, less oppressive, and more likely to be lasting, than any revenue to be acquired by parliamentary taxes, accompanied by a total alienation of the affections of those who were to pay them. This principle of repeal was nothing more than a return to the ancient standing policy of this empire. The unhappy departure from it has led to that course of shifting and contradictory measures, which have since given rise to such continued distractions; by which unadvised plan new duties have been imposed in the very year after the former had been repealed: these new duties, afterwards in part repealed, and in part continued, in contradiction to the principles upon which those repealed were given up; all which, with many weak, injudicious, and precipitate steps taken to enforce a compliance, have kept up that jealousy, which on the repeal of the stamp act was subsiding, revived dangerous questions, and gradually estranged the affections of the colonies from the mother country, without any object of advantage to either. If the force proposed should have its full effect, that effect we greatly apprehend may not continue longer than whilst the sword is held up. To render the colonies permanently advantageous, they must be satisfied with their condition. That satisfaction we see no chance of restoring, whatever measures may be pursued, except by recurring in the whole to the wise and salutary principles on which the stamp act was repealed.

Richmond,
Portland,
Abington,
King,
Effingham,
Ponsonby,

Rockingham,
Abergavenny,
Leinster,
Craven,
Fitzwilliam.

DECLARATION OF INDEPENDENCE OF THE UNITED
STATES OF AMERICA, JULY 4, 1776.

When in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident : that all men are created equal ; that they are endowed by their Creator with certain unalienable rights ; that among these are life, liberty, and the pursuit of happiness ; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed ; and whenever any form of government becomes destructive of these ends, it is the right of the people to alter and abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence indeed will dictate, that governments long established should not be changed for light and transient causes, and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government.

The history of the present king of Great Britain, is a history of repeated injuries and usurpations; all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained: and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the rights of representation in the legislature—a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representatives' houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time after such dissolution to cause others to be erected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these states: for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their subsistence.

He has kept among us in times of peace standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws—giving his consent to their pretended acts of legislation :

For quartering large bodies of armed troops among us :

For protecting them by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states :

For cutting off our trade with all parts of the world :

For imposing taxes on us without our consent :

For depriving us in many cases of the benefit of trial by jury :

For transporting us beyond seas to be tried for pretended offences :

For abolishing the free system of English laws in a neighbouring province; establishing therein an arbitrary government, and enlarging its boundaries; so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies :

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments :

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our British brethren: we have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us: we have reminded them of the circumstances of our emigration and settlement here: we have appealed to their native justice and magnanimity; and we have conjured them by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connexions and correspondence. They too have been deaf to the voice of justice and consanguinity. We must therefore acquiesce in the necessity which de-

nounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the United States of America, in general congress assembled, appealing to the supreme JUDGE of the WORLD for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare, that these united colonies are, and of right ought to be, free and independent states; and that they are absolved from all allegiance to the British crown; and that all political connexion between them and the state of Great Britain is, and ought to be, totally dissolved; and that as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honour.

Signed by order and in behalf of the congress,

JOHN HANCOCK, president.

CORRESPONDENCE BETWEEN LORD HOWE AND
DR. BENJAMIN FRANKLIN.

A. D. 1776.

The lamentable and egregious errors which have for a very long series of years distinguished the present reign, seem almost to convert the bare recital of facts into a libel. The incomparable folly which dictated the haughty rejection of the second American petition presented by governor Penn, was productive of the most deplorable consequences. Of all the persons who composed the pre-

sent administration, the duke of Grafton had the singular merit of discerning the impolicy and injustice of this rejection, and the still greater merit of supporting his opinion by an immediate resignation of his office as lord privy seal, and at the subsequent meeting of parliament by a noble avowal of the errors into which he had been insensibly led, from this time forward exerting his utmost efforts, as a member of opposition, in resisting the ministerial plan of coercion.

In the royal speech at the opening of the session, October 26, 1775, an intimation was given, that commissioners would speedily be appointed for the purpose of restoring the king's peace throughout the colonies; but the whole winter passed over without any step being taken to effectuate this object, although every month and every day became more critical than the preceding. At length, late in the spring of 1776, lord Howe, and his brother, the general, were nominated commissioners under the great seal, vested merely with the insulting and ridiculous power of granting pardons and receiving submissions. An interesting and important motion made by the duke of Grafton, March 14, 1776, aiming to enlarge the powers of the commissioners, was rejected by a majority of 91 voices to 31. Lord Howe himself was believed extremely anxious to obtain this enlargement, and wasted much time in fruitless solicitation for this purpose; so that he did not arrive at Halifax till the month of June, some time after the departure of the general and his army to the southward. Proceeding on his voyage therefore, his lordship published a declaration, dated June 20, 1776, from on board the *Eagle*, off the coast of Massachusetts Bay, announcing to the inhabitants of the colonies the powers entrusted to his majesty's commissioners, which declaration, enclosed in a circular letter, he transmitted to the several governors of the different provinces.

Far from wishing to prevent the free communication of this declaration, the congress passed on the 19th July the following resolution relative to it :

“ Resolved, that a copy of the circular letters and of the declaration they enclosed, from lord Howe to Mr. Franklin, Mr. Penn, Mr. Eden, lord Dunmore, Mr. Martin, and sir James Wright, late governors, sent to Amboy by a flag, and forwarded to congress by general Washington, be published in the several gazettes, that the good people of these United States may be informed of what nature are the commissions, and what the terms, with the expectation of which the insidious court of Great Britain has endeavoured to amuse and disarm them ; and that the few who still remain suspended by a hope founded either in the justice or moderation of their late king, may now at length be convinced that the valour alone of their country is to save its liberties.”

At the same that lord Howe published his declaration, he wrote a private letter to the celebrated Dr. Franklin, then a member of congress, with whom in England he had formerly been on terms of intimacy, dated from on board the Eagle, June 20, as follows :

“ I cannot, my worthy friend, permit the letters and parcels which I have sent you in the state I received them, to be landed, without adding a word upon the subject of the injurious extremities in which our unhappy disputes have engaged us. You will learn the nature of my mission from the official dispatches which I have recommended to be forwarded by the same conveyance. Retaining all the earnestness I ever expressed to see our differences accommodated, I shall conceive, if I meet with the disposition in the colonies which I was once taught to expect, the most flattering hopes of proving serviceable in the objects of the king's paternal solicitude, by promoting the establishment of lasting peace and union with the colonies. But if the deep rooted prejudices of Ame-

rica, and the necessity of preventing her trade from passing into foreign channels, must keep us still a divided people, I shall from every private as well as public motive, most heartily lament that it is not the moment wherein those great objects of my ambition are to be attained; and that I am to be longer deprived of an opportunity to assure you personally of the regard with which

I am, &c. &c.

“P. S. I was disappointed of the opportunity I expected for sending this letter at the same time it was dated, and have been ever since prevented by calms and contrary winds from getting here to inform general Howe of the commission with which I have the satisfaction to be charged, and of his being joined in it.

“*Dated off Sandy-hook, the 12th July, 1776.*”

In consequence of the repeated delays which from different causes lord Howe, so much to his own chagrin, experienced, he did not join his brother, the general, now encamped with his troops on Staten Island, till several days after the declaration of American independence, which bore date July 4, 1776. With powers so limited, nothing however could possibly have been effected by the commissioners, had they arrived at any earlier period. But since the congress had come to that decisive resolution, the offer of pardon was not merely frivolous, but absurd and preposterous.

The illustrious statesman-philosopher to whom the above letter was transmitted, returned an answer to it in terms worthy of his talents and character, as follows:

“*Philadelphia, July 30, 1776.*”

“MY LORD,

“I received safe the letters your lordship so kindly forwarded to me, and beg you to accept my thanks. The

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“MY LORD,

“I received safe the letters your lordship so kindly forwarded to me, and beg you to accept my thanks. The

official dispatches to which you refer me, contain nothing more than what we had seen by the act of parliament, viz. offers of pardon upon submission, which I was sorry to find, as it must give your lordship pain to be sent so far on so hopeless a business.

“ Directing pardons to be offered to the colonies, who are the very parties injured, expresses indeed that opinion of our ignorance, baseness, and insensibility, which your uninformed and proud nation has long been pleased to entertain of us; but it can have no other effect than that of increasing our resentment. It is impossible we should think of submitting to a government that has with the most wanton barbarity and cruelty burnt our defenceless towns in the midst of winter; excited the savages to massacre peaceful farmers, and our slaves to murder their masters, and is even now bringing foreign mercenaries to deluge our settlements with blood. These atrocious injuries have extinguished every spark of affection for that parent country we once held so dear. But were it possible for us to forget and forgive them, it is not possible for you, I mean the British nation, to forgive the people you have so heavily injured. You can never confide again in those as fellow-subjects, and permit them to enjoy equal freedom, to whom you know you have given such just causes of lasting enmity. And this must impel you, if we are again under your government, to endeavour the breaking our spirit by the severest tyranny, and obstructing by every means in your power our growing strength and prosperity.

“ But your lordship mentions “ the king’s paternal solicitude for promoting the establishment of lasting peace and union with the colonies.” If by peace, is here meant a peace to be entered into by distinct states now at war, and his majesty has given your lordship power to treat with us, of such peace I may venture to say, though without authority, that I think a treaty for that purpose not quite impracti-

cable before we enter into foreign alliances : but I am persuaded you have no such powers. Your nation, though, by punishing those American governors who have fomented the discord, rebuilding our burnt towns, and repairing as far as possible the mischiefs done us, she might recover a great share of our regard, and the greatest share of our growing commerce, with all the advantages of that additional strength to be derived from a friendship with us ; yet I know too well her abounding pride and deficient wisdom, to believe she will ever take such salutary measures. Her fondness for conquest as a warlike nation ; her lust of dominion as an ambitious one—and her thirst for a gainful monopoly as a commercial one—none of them legitimate causes of war—will all join to hide from her eyes every view of her true interest, and will continually goad her on in these ruinous distant expeditions, so destructive both of lives and of treasure, that they must prove as pernicious to her in the end, as the Croisades formerly were to most of the nations in Europe.

“ I have not the vanity, my lord, to think of intimidating, by thus predicting the effects of this war ; for I know it will in England have the fate of all my former predictions—not to be believed till the event shall verify it.”

“ Long did I endeavour with unfeigned and unwearied zeal, to preserve from breaking that fine and noble China vase, the British empire ; for I know, that being once broken, the separate parts could not retain even their shares of the strength and value that existed in the whole : and that a perfect reunion of these parts could scarce ever be hoped for. Your lordship may possibly remember the tears of joy that wet my cheek when, at your good sister's in London, you once gave me expectations that a reconciliation might soon take place. I had the misfortune to find these expectations disappointed, and to be treated as the cause of the mischief. My consolation under that groundless and malevolent treatment was, that I retained the friend-

ship of many wise and good men in that country, and among the rest, some share in the regard of lord Howe.

“ The well founded esteem, and permit me to say, affection, which I shall always have for your lordship, make it painful for me to see you engaged in conducting a war, the great ground of which, as described in your letter, “ is the necessity of preventing the American trade from passing into foreign channels.” To me, it seems that neither the obtaining nor retaining any trade, how valuable soever, is an object for which men may justly spill each others blood: that the true and sure means of extending and securing commerce, are the goodness and cheapness of commodities; and that the profits of no trade can ever be equal to the expense of compelling it, and holding it by fleets and armies. I consider this war against us, therefore, as both unjust and unwise; and I am persuaded that cool and dispassionate posterity will condemn to infamy those who advised it: and that even success will not save from some degree of dishonour those who have voluntarily engaged to conduct it.

“ I know your great motive in coming hither, was the hope of being instrumental in a reconciliation; and believe that when you find that to be impossible on any terms given you to propose, you will relinquish so odious a command, and return to a more honourable private station.

“ With the greatest and most sincere respect, I have the honour to be, &c.”

DECLARATION OF THE AMERICAN COMMISSIONERS, LORD
AND GENERAL HOWE.

A. D. 1776.

Soon after the successes obtained on Long Island, and the capture of New York, the following declaration was published by the king's commissioners, lord Howe and

general Howe, in whom the civil and military powers were combined for the different purposes of pacification or coercion.

DECLARATION.

Although the congress, whom the misguided Americans suffer to direct their opposition to a re-establishment of the constitutional government of these provinces, have disavowed every purpose of reconciliation not consonant with their extravagant and inadmissible claim of independence, the king's commissioners think fit to declare, that they are equally desirous to confer with his majesty's well-affected subjects, upon the means of restoring the public tranquillity, and establishing a permanent union with every colony, as a part of the British empire.

The king being most graciously pleased to direct a revision of such of his royal instructions, as may be construed to lay an improper restraint upon the freedom of legislation in any of his colonies, and to concur in the revisal of all acts by which his subjects there may think themselves aggrieved; it is recommended to the inhabitants at large, to reflect seriously upon their present condition, and to judge for themselves, whether it be more consistent with their honour and happiness, to offer up their lives as a sacrifice to the unjust and precarious cause in which they are engaged, or to return to their allegiance, accept the blessings of peace, and be secured in a free enjoyment of their liberty and properties upon the true principles of the constitution.

In this declaration may be discerned, some symptoms of the elation arising from recent victory: and the offer contained in it, both in respect to matter and manner, was calculated in present circumstances, rather to irritate than to conciliate the revolted colonies. Had the king of England indeed, in reply to the petition of congress, presented

by Mr. Penn, declared his readiness to modify and meliorate his instructions, and to concur in the revisal of those acts of the legislature, by which the colonies thought themselves aggrieved, and had such declaration been accompanied with a suspension of hostilities, and an amnesty for past offences, a foundation might undoubtedly have been laid for a solid and permanent reconciliation. But now, when not only their successive petitions had been disdainfully rejected, but war in its most barbarous mode had been actually levied upon them; when they had been denounced as REBELS; when their towns had been burnt, their property plundered, their commerce destroyed, and when an army of German mercenaries had been transported across the Atlantic, to massacre the inhabitants, and to desolate the country; when all these atrocious injuries had been sustained by the Americans, since the period in which their last petition had been voted in congress, and when, in consequence of this accumulation of cruelty and injustice, a resolution had been at length taken by the colonies to declare themselves free and independent states, what good effect could be expected from a vague and indefinite engagement on the part of the commissioners, that the monarch whose authority they had renounced, and whom they had not scrupled to stigmatize as a tyrant, would consent at some future time to the revision of his instructions, and of those acts of his government by which the Americans *thought* they were aggrieved? Such an offer would no doubt be rejected with as much contempt by *them*, as their repeated and humble petitions were formerly by *him*.

A second declaration was published by the commissioners on the 30th November ensuing, stating "that several bodies of armed men, in open contempt of his majesty's proffered clemency, still continued their opposition to the establishment of legal government and peace, and charging and commanding all such persons to disband

themselves, and return to their dwellings; requiring, moreover, all persons assembled together under the name of general or provincial congresses, conventions, &c. to desist from their treasonable actings and doings, and to relinquish all such usurped power and authority, and offering a free pardon to all who within sixty days of the date of this declaration shall return to their allegiance, and claim the benefit of it in the form prescribed."

Of this offer, many persons, timid or treacherous; or peculiarly exposed to the depredations of the enemy; took a temporary advantage; but no colony, or even city, was at any time pronounced by the commissioners to be restored to the king's peace, or within the protection of his government.

PROTEST AGAINST THE ADDRESS, OCTOBER 31, 1776.

At the commencement of the session, October 31, 1776, the king informed the two houses of parliament in his opening speech, "that nothing could have afforded him so much satisfaction, as to have been able to inform them that the troubles which had so long distracted *his* colonies in North America, were at an end, and that his unhappy people, recovered from their delusion, had delivered themselves from the oppression of their leaders, and returned to their duty. But so daring and desperate," said his majesty, "is the spirit of those leaders, whose object has always been dominion and power; that they have now openly renounced all allegiance to the crown, and all political connexion with this country. They have rejected with circumstances of indignity and insult the means of conciliation held out to them under the authority of our commission, and have presumed to set up their REBELLIOUS CONFEDERACIES for INDEPENDENT STATES. If their TREASON be suffered to take root, much mischief must grow

from it to the safety of my loyal colonies, to the commerce of my kingdoms, and indeed, to the present system of all Europe. One great advantage, however, will be derived from the object of the rebels being openly avowed, and clearly understood: we shall have unanimity at home, founded in the general conviction of the justice and necessity of our measures."

His majesty proceeded to mention, that *by the blessing of Divine Providence* on the good conduct and valour of his officers and forces, Canada was recovered, and that the success obtained in the province of New York had been so important, as to give the strongest hopes of the most decisive good consequences; but that notwithstanding this fair prospect, we must at all events prepare for another campaign.

His majesty concluded his speech with the following declaration:—"In this arduous contest I can have no other object, but to promote the true interests of all my subjects. No people ever enjoyed more happiness, or lived under a milder government than those now revolted provinces. The improvements in every art of which they boast declare it; their numbers, their wealth, their strength by sea and land, which they think sufficient to enable them to make head against the whole power of the mother country, are irrefragable proofs of it. My desire is to restore to them the blessings of law and liberty, equally enjoyed by every British subject, which they have fatally and desperately exchanged for all the calamities of war, and the arbitrary tyranny of their chiefs."

On the accustomed motion for an address to the king, a very animated debate arose in both houses; a precisely similar amendment, admirably drawn, being brought forward by lord John Cavendish in the one, and by the marquis of Rockingham, seconded by the duke of Manchester, in the other. The division in the house of commons was 87 to 242, and in the lords, 26 to 91. But the re-

jected amendment was recorded entire on the journals of the house, and signed by 14 peers in the form of a protest, as follows :

Dissentient,

Die Jovis, 31st Oct. 1776.

For the reasons contained in the amendment proposed and rejected, viz. “ To assure his majesty that, animated with the most earnest and sincere zeal for his true interest, and the real glory of his reign, we behold with inexpressible concern, the minds of a very large, and lately loyal and affectionate part of his people, entirely alienated from his government. Nor can we conceive that such an event as the disaffection and revolt of a whole people, could have taken place without some considerable errors in the conduct observed towards them.”

These erroneous measures, we conceive, are to be imputed to a want of sufficient information being laid before parliament, and too large a degree of confidence being reposed in those ministers, who from their duty were obliged, and from their official situation were best enabled, to know the temper and disposition of his majesty's American subjects, and were therefore presumed most capable of pointing out such measures as might produce the most salutary effect. Hence the schemes which were formed for the reduction and chastisement of a supposed inconsiderable party of factious men, have driven thirteen large provinces to despair. Every act which has been proposed as a means of procuring peace and submission, has become a new cause of war and revolt : and we now find ourselves almost inextricably involved in a bloody and expensive civil war, which besides exhausting at present the strength of his majesty's dominions, exposing our allies to the designs of their and our enemies, and leaving this kingdom in a most perilous situation, threatens in its issue the most deplorable calamities to the whole British race.

We cannot avoid lamenting, that in consequence of the

credit afforded to the representations of ministers, no hearing has been given to the reiterated complaints and petitions of the colonies : neither has any ground been laid for removing the original cause of these unhappy differences, which took their rise from questions relative to parliamentary proceedings, and can be settled only by parliamentary authority. By this fatal omission, the commissioners nominated for the apparent purpose of making peace, were furnished with no legal powers, but those of giving or withholding pardons at their pleasure ; and of relaxing the severities of a single penal act of parliament *, leaving the whole foundation of this unhappy controversy as it stood at the beginning.

To represent to his majesty, that in addition to this neglect, when in the beginning of the last session, his majesty in his gracious speech to both houses of parliament, had declared his resolution of sending out commissioners for the purposes therein expressed, as speedily as possible; no such commissioners were sent until nearly seven months afterwards ; and until the nation was alarmed by the evacuation of the only town then held for his majesty in the thirteen united colonies. By this delay, acts of the most critical nature, the effect of which must as much depend upon the power of immediately relaxing them on submission as in enforcing them upon disobedience, had only an operation to inflame and exasperate. But if any colony, town, or place, had been induced to submit by the operation of the terrors of those acts, there were none in the place of power sufficient to restore the people so submitting to the common right of subjection. The inhabitants of the colonies, apprized that they were put out of the protection of government, and seeing no means provided for their entering into it, were furnished with reasons but too colourable for breaking off their dependency on the crown of this kingdom.

* Prohibitory act.

To assure his majesty, that removing our confidence from those who in so many instances have grossly abused it, we shall endeavour to restore to parliament the confidence of all his people.

To this end it may be advisable to make a more minute inquiry into the grievances of the colonies, as well as into the conduct of ministers with regard to them. We may think it proper, particularly to inquire how it has happened, that the commerce of this kingdom has been left exposed to the reprisals of the colonies, at the very time that their seamen and fishermen, being indiscriminately prohibited from the peaceable exercise of their occupations, and declared open enemies, must be expected with a certain assurance to betake themselves to plunder, and to wreak their revenge on the commerce of Great Britain.

That we understand, that amidst the disasters and disgraces which have attended on his majesty's arms in many parts of America, an advantage has been gained by his majesty's British and foreign mercenary forces in the province of New York. That if a wise, moderate, and prudent use be made of this advantage, it is not improbable that happy effects may result from that use. And we assure his majesty, that nothing shall be wanting on our part, to enable his majesty to take full advantage of any dispositions to reconciliation which may be the consequence of the miseries of war, by laying down on our part real permanent ground of connexion between Great Britain and the colonies, on principles of liberty, and terms of mutual advantage.

That whilst we lament this effusion of English blood, which we hope has not been greater, or other than necessity required, and honour justified, we should most heartily congratulate his majesty on any event leading to the great desirable end of settling a peace which might promise to last, by the restoration of the ancient affection which has happily subsisted between this kingdom and its colonies.

Any other would necessarily require, even in case of a total conquest, an army to maintain, ruinous to the finances and incompatible with the freedom of his majesty's people. We should look with the utmost shame and horror on any events of what nature soever, that should tend to break the spirit of any large part of the British nation, to bow them to an abject unconditional submission to any power whatsoever; to annihilate their liberties, and to subdue them to servile principles and passive habits, by the mere force of mercenary arms. Besides, amidst the excesses and abuses which have happened, we must respect the spirit and principles operating in these commotions: our wish is to regulate, not to destroy them. For though differing in some circumstances, those very principles evidently bear so exact an analogy with those which support the most valuable part of our own constitution, that it is impossible, with any appearance of justice, to think of wholly extirpating them by the sword in any part of his majesty's dominions, without admitting consequences, and establishing precedents, the most dangerous to the liberties of this kingdom,

Richmond,
Devonshire,
Portland,
Manchester,
Rockingham,
Scarborough,
King,

Craven,
Fitzwilliam,
Abingdon,
De Ferrars,
Effingham,
Abergavenny,
Ponsonby.

MEMORIAL PRESENTED BY SIR JOSEPH YORKE
TO THE STATES GENERAL,

ON THE 21st FEBRUARY, 1777.

SINCE the commencement of the unnatural rebellion which has broken out in the English colonies against the

legal constitution of the mother country, the undersigned ambassador extraordinary and plenipotentiary of the king of Great Britain, has had frequent occasions to address himself to your high mightinesses, in the name of his master, to engage them, by all motives of national interest, of good neighbourhood, of friendship, and finally, of treaties, to put a stop to the clandestine commerce which is carried on between their subjects and the rebels. If the measures which your high mightinesses have thought proper to take, had been as efficacious as your assurances have been amicable, the undersigned would not now have been under the disagreeable necessity of bringing to the cognizance of your high mightinesses, facts of the most serious nature.

The king hath hitherto borne with unexampled patience, the irregular conduct of your subjects, in their interested commerce at St. Eustatia, as also in America. His majesty has always flattered himself, that in giving time to your high mightinesses, to examine to the bottom this conduct, so irregular, and so insufferable, they would have taken measures necessary to repress the abuse, to restrain their subjects within bounds, and to make them respect the rights and friendship of Great Britain,

The complaints which I have orders to make to their high mightinesses, are founded upon authentic documents, annexed to this memorial, where their high mightinesses will see with astonishment, and I doubt not at the same time with displeasure, that their new governor, M. Van Graaf, after having permitted an illicit commerce at St. Eustatia, hath passed his forgetfulness of his duty, to the point of conniving at the Americans in their hostile equipments, and the permitting the seizure of an English vessel by an American pirate, within cannon-shot of that island: and in aggravation to the affront given to the English nation, and to all the powers of Europe, to return from the fortress of his government, the salute of a rebel

flag. In return to the amicable representations made by the president of the neighbouring island of St. Christopher on these facts of notoriety, M. Van Graaf has answered in a manner the most vague and unsatisfactory, refusing to enter at all into the subject, or into an explanation of the matter with a member of his majesty's council of St. Christopher's, dispatched by the president for that purpose to St. Eustatia.

After exhibiting the documents annexed, nothing remains with me but to add, that the king, who had read them not with less surprize than indignation, hath ordered me expressly to demand of your high mightinesses, a formal disavowal of the salute by fort Orange at St. Eustatia, to the rebel ship; the dismissal and immediate recall of governor Van Graaf; and to declare further on the part of his majesty, that until that satisfaction is given, they are not to expect that his majesty will suffer himself to be amused by mere assurances, or that he will delay one instant to take such measures as he shall think due to the interests and dignity of his crown.

Given at the Hague, February 21, 1777.

Signed,

JOSEPH YORKE.

MEMORIAL DELIVERED BY ORDER OF THE STATES
GENERAL, TO THE KING OF GREAT BRITAIN,

IN ANSWER TO THE ABOVE MEMORIAL, BY THE AMBASSADOR, COUNT DE WELDEREN, MARCH 26, 1777.

SIRE,

It is with the most profound respect, that the undersigned envoy extraordinary and plenipotentiary of their high mightinesses, in consequence of the orders which he hath received, hath the honour to represent to your majesty, that the memorial which your ambassador hath pre-

sented to their high mightinesses on the 21st of last month, has touched them very sensibly : that they find themselves obliged to make complaint of the reproaches which are contained in it ; as if their high mightinesses were to be suspected of a will and intention of amusing your majesty by amicable assurances which they have falsified by their acts : also of the menacing tone which reigns in that memorial, and appears to their high mightinesses too highly strained beyond that which is the accorded and accustomed manner, and that ought to take place between two sovereign and independent powers, and especially between two neighbouring powers, which have been of so many years continuance united by the ties of good harmony and mutual friendship.

Their high mightinesses trust that on all occasions, and particularly in respect to the unfortunate troubles of your majesty's colonies in America, they have held a conduct towards your majesty, which has been expected from a good neighbour and a friendly and affectionate power.

Their high mightinesses, sire, hold your majesty's friendship in the highest estimation, and wish to do every thing in their power, as far as the honour and dignity of their state will permit them to go, to cultivate it still more and more : but they cannot at the same time so far restrain themselves, as to disguise the very poignant sensation with which that memorial hath impressed them.

It is alone from the motive of demonstrating to your majesty every possible regard, and to prove that their high mightinesses will not neglect any thing which may serve to investigate properly the truth of the facts from whence the complaints made to them seem to have arisen, that they have resolved to institute an inquiry in a manner the most summary, and cut off all trainings of delay.

To this end their high mightinesses, passing by the ordinary and usual form in like cases, requiring a report

in writing from their officers and others employed in their colonies, have already dispatched their orders to the commandant of St. Eustatia, to render himself within the republic without delay, and as soon as possible, to give the necessary information of all that has passed within the island of St. Eustatia, and that which hath come to his knowledge, relative to the American colonies and their vessels during the period of his command, and to lay his conduct touching that matter before the eyes of their high mightinesses.

The undersigned is charged by his orders to bring the information of this resolution to your majesty; as also that their high mightinesses make no difficulty of disavowing in the the most express manner, every act or mark of honour which may have been given by their officers, or by any of their servants, to the vessels of your majesty's colonies of North America, or that they may give hereafter, so far as those acts or marks of honour may be of such a nature, as that any can conclude from them, that it is intended thereby, in the least degree, to recognize the independence of those colonies.

The undersigned is also further charged to inform your majesty, that their high mightinesses have in consequence given their orders to their governors and councils in the West Indies, and have enjoined them afresh in the strongest terms, to observe exactly the placards and orders against the exportation of military stores to the American colonies of your majesty, and to see them executed most rigorously.

London, March 26th, 1777.

Signed,

WELDEREN.

The language of the memorial presented by sir Joseph Yorke, respecting the conduct of M. Van Graaf, may vie in pride and presumption with that of any public docu-

ment promulgated by Louis XIV. in the zenith of his power. It was framed in the first emotions of elation, occasioned by the successes of the campaign of 1776. The general effect produced in Holland by this “provoking, arrogant, and indecent memorial,” as it was justly styled by lord Camden, so opposite, as that nobleman observed, to the spirit and tenor of the representations of the same ambassador during the prosperous administration of lord Chatham,” was to render the name of England odious through the seven provinces.

CORRESPONDENCE BETWEEN THE EMPEROR
JOSEPH II. AND THE KING OF PRUSSIA,

A. D. 1778.

ON the subject of the Bavarian succession, the following letters, strongly characteristic of the several writers, passed between the emperor Joseph II. and Frederic II. king of Prussia.

Olmütz, Avril 13, 1778.

MONSIEUR MON FRERE,

Si j'ai différé jusqu'à ce moment-ci de remplir une promesse mutuellement contractée entre nous, tant à Neisse qu'à Neustadt de nous écrire directement ; c'est, que préparé à tous les événemens je voulois attendre que je fusse moi-même éloigné de la capitale, et par conséquent de tout ce qui peut ressentir finesse and politique, pour communiquer à votre majesté mes idées que je crois plus analogues à nos vrais intérêts, que toute brouillerie que nous pourrions avoir ensemble. Je les ai rédigées dans le projet de convention ci-joint, que j'ai l'honneur de lui envoyer. Je n'y ajoute aucune réflexion ; bien certain qu'il ne lui en échappera aucune dont l'objet peut être susceptible. En

même temps je fais charger Cobenzel des pleins pouvoirs nécessaires pour que si votre majesté adopte ce projet, l'on puisse d'abord procéder à la signature : et si elle désiroit quelque changement ou explication sur des accessoires, je la prie de me les faire connoître par sa reponse directement. Elle peut compter d'avance que je ne m'y refuserai pas si je le puis ; ainsi que naturellement tout sera dit si cela ne lui convenoit en façon quelconque.

Je serois vraiment charmé de raffermir par là, de plus en plus une bonne intelligence qui seule doit et peut faire le bonheur de nos états, qui avoit déjà si heureusement et avantageusement commencé ; qui de ma part étoit d'abord fondée sur la haute estime et considération, que le génie et les talens supérieurs de votre majesté m'avoient su inspirer, qu'une connoissance personnelle avoit augmentée, et que je souhaite vraiment de perpétuer par des assurances et temoignages réitérés d'une amitié sincère, avec laquelle je serai toujours, de monsieur mon frere et cousin,

Le très affectionné frere et cousin,

JOSEPH.

The project referred to in this imperial epistle, was such as implied great weakness either in the party who proposed, or the party who accepted it. Concisely and substantially it imported :

I. That the king of Prussia should acknowledge the validity of the convention signed January 3, 1778, between the emperor and the elector Palatine, heir and successor of the late elector of Bavaria.

II. That this convention might admit of a subsequent modification.

III. That his Imperial majesty would *by anticipation*, allow the validity of the incorporation of the country of Anspach and Bareith, conformably to the primogeniture of the electoral house of Brandenburg ; and

IV. His Imperial majesty engages to leave his Prussian majesty at full liberty to make such exchange of territory as shall be most commodious to himself, in like manner as his Imperial majesty shall be at liberty to act in relation to Bavaria.

To this extraordinary proposal, his Prussian majesty returned the following spirited and decisive answer.

Schænwalde, Avril 14, 1778.

MONSIEUR MON FRERE,

J'ai reçu avec toute la satisfaction possible, la lettre que votre majesté Impériale à eu la bonté de m'écrire. Je n'ai ni ministre ni scribe avec moi ; ainsi votre majesté Impériale voudra bien se contenter de la réponse d'un vieux soldat, qui lui écrit avec probité, et avec franchise sur un des sujets les plus importans que la politique ais fournis depuis long-temps. Personne plus que moi ne désire de maintenir la paix, et la bonne harmonie entre les puissances de l'Europe : mais il y a des bornes à tout, et il se trouve des cas si épineux que la bonne volonté ne suffit pas seule, pour maintenir les choses dans le repos ~~et~~ la tranquillité. Que votre majesté me permette de lui exposer nettement l'état de la question de nos affaires actuelles. Il s'agit de savoir, si un empereur peut disposer selon sa volonté des fiefs de l'empire ? Si l'on prend l'affirmative, tous ces fiefs deviennent des timariots qui ne sont qu'à vie, et dont le sultan dispose après la mort du possesseur. Or c'est ce qui est contraire aux lois, aux coutumes, et aux usages de l'empire Romain. Aucun prince n'y donnera les mains ; chacun provoquera au droit féodal, qui assure ces possessions à ses descendans, et personne ne consentira à cimenter lui-même le pouvoir d'un despote, qui tôt ou tard le depouillera lui et ses enfans de ses possessions immémoriales. Voilà donc ce qui a fait crier tout le corps Germaniques contre la façon violente dont la Bavière vient d'être

envahie. Moi comme membre de l'empire et comme ayant rappelé la paix de Westphalie par le traité de Hubertsbourg, je me trouve directement engagé à soutenir les immunités, les libertés, et les droits du corps Germanique, les capitulations impériales, par lesquelles on limite le pouvoir du chef de l'empire, afin de prévenir les abus qu'il pourroit faire de sa pré-eminence.

Voilà, sire, au vrai, l'état des choses. Mon intérêt personnel n'y est pour rien ; mais je suis persuadé que votre majesté me regarderoit elle-même comme un homme lâche et indigne de son estime, si je sacrifiois basement les droits, immunités, et privilèges que les électeurs et moi avons reçus de nos ancêtres. Je continue à lui parler avec la même franchise. J'aime et j'honore sa personne. Il me sera certainement dur de combattre contre un prince doué d'excellentes qualités, et que j'estime personnellement. Voici donc selon mes foibles lumières des idées que je sou mets aux vues supérieures de votre majesté Imperiale. Je confesse que la Bavière selon le droit de convenance peut convenir à la maison Impériale. Mais comme d'ailleurs tout autre droit lui est contraire dans cette possession, ne pourroit-on pas, par des équivalens satisfaire le duc de Deux-ponts ? Ne pourroit-on pas trouver de quoi indemniser l'électeur de Saxe sur les alleux de la succession de Bavière ? Les Saxons font monter leurs prétentions à 37 millions de florins : mais ils en rabattroient bien quelque chose en faveur de la paix. C'est, sire, à de telles propositions, en n'oubliant pas le duc de Mecklenbourg, que votre majesté Impériale me verroit concourir avec joie ; parcequ'elles seroient conformes à ce que demandent mes devoirs et la place que j'occupe. J'assure à votre majesté que je ne m'expliquerois pas avec mon frere avec plus de franchise que j'ai l'honneur de lui parler. Je la prie de faire ses réflexions sur tout ce que je prends la liberté de lui représenter ; car voilà le fait dont il s'agit. La succession d'Anspach y est tout à-fait étrangère. Nos droits

sont si légitimes que personne ne peut nous les rendre litigieux. C'est ce Van Swieten qui m'en parla il y a je crois quatre à six ans, et qui me dit que la cour Impériale seroit bien aise s'il y avoit quelque troc à proposer, parceque j'ôteroïis à sa cour la supériorité de voix dans le cercle de Franconie, et qu'on ne voudroit pas de mon voisinage près d'Egra en Bohême. Je lui répondis qu'on pouvoit se tranquilliser encore, parceque le margrave d'Anspach se portoit bien, et qu'il y avoit tout à parier qu'il me survivroit. Voilà tout ce qui s'est passé sur cette matière, et votre majesté Impériale peut être persuadée que je lui dis la vérité. Quant au dernier mémoire que j'ai reçu du prince Kaunitz, le dit prince paroît avoir eu de l'humeur en le dressant. La réponse ne pourra arriver ici que dans huit jours. J'oppose mon flegme à ses vivacités, et j'attends surtout ce que votre majesté Impériale aura la bonté de décider sur les sincères représentations que je prends la liberté de lui faire, étant avec la plus haute estime, et avec la plus haute consideration,

Monsieur mon frere,

de vôtre majesté Impériale,

le bon frere et cousin,

FREDERIC.

S'il m'est arrivé de manquer au cérémonial, j'en fais mes excuses a votre majeste Impériale; mais foi d'honneur, a 40 milles à la ronde, il n'y a personne qui puisse m'instruire.

This correspondence was continued in a series of letters, published at the end of the 4th vol. of the king of Prussia's History of his own Times. They are too numerous, and are too slightly connected with the history of Great Britain, to entitle them to a place in this collection. In general it may be remarked, that the letters of the emperor are

trifling, weak, and vain, while those of the king, conformably to the high reputation he possessed, are clear, firm, and energetic, though couched in terms of the most guarded respect. It is only necessary to add, that the contest terminated in the cession of the district of Barghausen, to the house of Austria, and the relinquishment of the remaining part of the Duchy to the elector Palatine.

ADDRESS OF THE ROMAN CATHOLIC PEERS AND
COMMONERS TO THE KING,

MAY 1st, 1778.

MOST GRACIOUS SOVEREIGN,

WE, your majesty's dutiful and loyal subjects, the roman catholic peers and commoners of your kingdom of Great Britain, most humbly hope, that it cannot be offensive to the clemency of your majesty's nature, or to the maxims of your just and wise government, that any part of your subjects should approach your royal presence, to assure your majesty of the respectful affection which they bear to your person, and their true attachment to the civil constitution of their country : which having been perpetuated through all changes of religious opinions and establishments, has been at length perfected by that revolution, which has placed your majesty's illustrious house on the throne of these kingdoms, and inseparably united your title to the crown with the laws and liberties of your people.

Our exclusion from many of the benefits of that constitution has not diminished our reverence to it. We behold with satisfaction the felicity of our fellow subjects : and we partake of the general prosperity which results from an institution so full of wisdom. We have patiently submitted to such restrictions and discouragements as the

legislature thought expedient. We have thankfully received such relaxations of the rigour of the laws, as the mildness of an enlightened age, and the benignity of your majesty's government have gradually produced; and we submissively wait, without presuming to suggest either time or measure, for such other indulgences as those happy causes cannot fail in their own season to effect.

We beg leave to assure your majesty, that our dissent from the legal establishment in matters of religion is purely conscientious; that we hold no opinions adverse to your majesty's government, or repugnant to the duty of good citizens. And we trust that this has been shewn more decisively by our irreproachable conduct for many years past, under circumstances of public discountenance and displeasure, than it can be manifested by any declaration whatever.

In a time of public danger, when your majesty's subjects can have but one interest, and ought to have but one wish and one sentiment, we humbly hope it will not be deemed improper to assure your majesty of our unreserved affection to your government, of our unalterable attachment to the cause and welfare of this our common country, and our utter detestation of the designs and views of any foreign power against the dignity of your majesty's crown, the safety and tranquillity of your majesty's subjects.

The delicacy of our situation is such, that we do not presume to point out the particular means by which we may be allowed to testify our zeal to your majesty, and our wishes to serve our country; but we entreat leave faithfully to assure your majesty, that we shall be perfectly ready on every occasion to give such proofs of fidelity, and the purity of our intentions, as your majesty's wisdom, and the sense of the nation, shall at any time deem expedient.

The above temperate and judicious, yet forcible address,

was signed by the duke of Norfolk, the lords Surry and Shrewsbury; Linton, for the Scotch; Stourton, Petre, Arundel, Dormer, Teynham, Clifford; and one hundred and sixty-three commoners.

MANIFESTO

PROMULGATED BY THE AMERICAN COMMISSIONERS
APPOINTED BY THE KING.

A. D. 1778.

HAVING amply and repeatedly made known to the congress, and having also proclaimed to the inhabitants of North America in general, the benevolent overtures of Great Britain towards a re-union and coalition with her colonies, we do not think it consistent either with the duty we owe to our country, or with a just regard to the characters we bear, to persist in holding out offers, which in our estimation required only to be known, to be most gratefully accepted; and we have accordingly, excepting only the commander-in-chief, who will be detained by military duties, resolved to return to England a few weeks after the date of this manifesto and proclamation.

Previous, however, to this decisive step, we are led by a just anxiety for the great objects of our mission, to enlarge on some points which may not have been sufficiently understood; to recapitulate to our fellow-subjects the blessings which we are empowered to confer, and to warn them of the continued evils to which they are at present blindly and obstinately exposing themselves.

To the members of the congress then we again declare, that we are ready to concur in all satisfactory and just arrangements for securing to them and their respective constituents the re-establishment of peace, with the exemption from any imposition of taxes by the parliament of Great Britain, and the irrevocable enjoyment of every

privilege consistent with that union of interests and force on which our mutual prosperity and the safety of our common religion and liberties depend. We again assert, that the members of the congress were not authorized by their constituents either to reject our offers without the previous consideration and consent of the several assemblies and conventions, their constituents, or to refer us to pretended foreign treaties, which they know were delusively framed in the first instance, and which have never yet been ratified by the people of this continent. And we once more remind the members of this congress, that they are responsible to their countrymen, to the world, and to God, for the continuance of this war, and for all the miseries with which it must be attended.

To the general assemblies and conventions of the different colonies, plantations and provinces above-mentioned, we now separately make the offers which we originally transmitted to the congress; and we hereby call upon and urge them to meet expressly for the purpose of considering whether every motive, political as well as moral, should not decide their resolution to embrace the occasion of cementing a free and firm coalition with Great Britain. It has not been, nor is it our wish, to seek the objects which we are commissioned to pursue, by fomenting popular divisions and partial cabals. We think such conduct would be ill-suited to the generous nature of the offers made, and unbecoming the dignity of the king and the state which make them. But it is both our wish and our duty, to encourage and support any men, or bodies of men, in their return of loyalty to our sovereign and affection to our fellow-subjects.

To all others, free inhabitants of this once happy empire, we also address ourselves: such of them as are actually in arms, of whatsoever rank or description, will do well to recollect that the grievances, whether real or supposed, which led them into this rebellion, have been

for ever removed, and that the just occasion is arrived for their returning to the class of peaceful citizens. But if the honours of a military life are become their object, let them seek those honours under the banners of their rightful sovereign, and in fighting the battles of the united British empire against our late mutual and natural enemies.

To those whose profession it is to exercise the functions of religion on this continent, it cannot surely be unknown, that the sovereign power with which the congress is endeavouring to connect them, has ever been averse to toleration, and inveterately opposed to the interest and freedom of the places of worship which they serve; and that Great Britain, from whom they are for the present separated, must, both from the principles of her constitution and of protestantism, be at all times the best guardian of religious liberty, and most disposed to promote and extend it.

To all those who can estimate the blessings of peace, and its influence over agriculture, arts, and commerce; who can feel a due anxiety for the education and establishment of their children, or who can place a just value on domestic security, we think it sufficient to observe, that they are made by their leaders to continue involved in all the calamities of war, without having either a just object to pursue, or a subsisting grievance which may not instantly be redressed.

But if there be any persons who, divested of mistaken resentments, and uninfluenced by selfish interests, really think that it is for the benefit of the colonies to separate themselves from Great Britain, and that so separated they will find a constitution more mild, more free, and better calculated for their prosperity, than that which they heretofore enjoyed, and which we are empowered and disposed to renew and improve, with such persons we will not dispute a position which seems to be sufficiently contradicted by

the experience they have had. But we think it right to leave them fully aware of the change which the maintaining of such a position must make in the whole nature and future conduct of this war; more especially, when to this position is added the *pretended* alliance with the court of France. The policy as well as the benevolence of Great Britain, have thus far checked the extremes of war, when they tended to distress a people still considered as our fellow-subjects, and to desolate a country shortly to become again a source of mutual advantage; but when that country professes the unnatural design, not only of estranging herself from us, but of mortgaging herself and her resources to our enemies, the whole contest is changed; and the question is, how far Great Britain may, by every means in her power, destroy or render useless a connexion contrived for her ruin, and for the aggrandizement of France? Under such circumstances, the laws of self-preservation must direct the conduct of Great Britain, and if the British colonies are to become an accession to France, will direct her to render that accession of as little avail as possible to her enemy.

If, however, there are any who think, that notwithstanding these reasonings, the independence of the colonies will, in the result, be acknowledged by Great Britain, to them we answer without reserve, that we neither possess nor expect powers for that purpose; and that if Great Britain could ever have sunk so low as to adopt such a measure, we should not have thought ourselves compelled to be the instruments in making a concession which would in our opinion be calamitous to the colonies for whom it was made, and disgraceful as well as calamitous to the country from whom it is required. And we think proper to declare, that in this spirit and sentiment we have regularly written from the continent to Great Britain.

It will now become the colonies in general to call to mind their own solemn appeals to heaven in the beginning

of this contest, that they took arms only for the redress of grievances, and that it would be their wish as well as their interest, to remain for ever connected with Great Britain. We again ask them whether all their grievances, real or supposed, have not been fully redressed? and we insist, that the offers we have made leave nothing to be wished in point either of immediate liberty, or permanent security. If those offers are now rejected, we withdraw from the exercise of a commission with which we have in vain been honoured: the same liberality will no longer be due from Great Britain, nor can it either in justice or policy be expected from her.

In fine, and for the fuller manifestation as well of the disposition we bear, as of the gracious and generous purposes of the commission under which we act, we hereby declare, that whereas his majesty, in pursuance of an act made and passed in the last session of parliament, entitled "an act to enable his majesty to appoint commissioners with sufficient powers, to treat, consult, and agree upon the means of quieting the disorders now subsisting in certain of the colonies, plantations and provinces in North America," having been pleased to authorize and empower us to grant a pardon or pardons to any number or description of persons within the colonies, plantations, and provinces of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the three lower counties on the Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia: And whereas the good effects of the said authorities and powers towards the people at large would have long since taken place, if a due use had been made of our first communications and overtures, and have thus far been frustrated only by the precipitate resolution of the members of the congress not to treat with us, and by their declining to consult with their consti-

tuents; we now, in making our appeal to those constituents, and to the free inhabitants of this continent in general, have determined to give them what in our opinion should have been the first object of those who appeared to have taken the management of their interests, and adopt this mode of carrying the said authorities and powers into execution. We accordingly hereby grant and proclaim a pardon or pardons, of all and all manner of treasons or misprisions of treasons, by any person or persons, or by any number or description of persons within the said colonies, plantations, or provinces, counselled, commanded, acted, done, on or before the date of this manifesto and proclamation.

And we further declare and proclaim, that if any person or persons, or any number or description of persons within the said colonies, plantations, or provinces, now actually serving either in a military or civil capacity in this rebellion, shall at any time during the continuance of this manifesto and proclamation, withdraw himself or themselves from such civil or military service, and shall continue thenceforth peaceably as a good and faithful subject or subjects to his majesty to demean himself or themselves, such person or persons, or such number and description of persons, shall become, and be fully entitled to, and hereby obtain all the benefits of the pardon or pardons hereby granted, excepting only from the said pardon or pardons every person, and every number or description of persons, who, after the date of this manifesto and proclamation, shall, under the pretext of authority as judges, jurymen, ministers, or officers of civil justice, be instrumental in executing and putting to death any of his majesty's subjects within the said colonies, plantations and provinces.

And we think proper further to declare, that nothing herein contained is meant, or shall be construed to set at

liberty, any person or persons now being prisoner or prisoners, or who during the continuance of this rebellion shall become a prisoner or prisoners.

And we offer to the colonies, at large or separately, a general or separate peace, with the revival of their ancient government, secured against any future infringements, and protected for ever from taxation by Great Britain. And with respect to such further regulations, whether civil, military, or commercial, as they may wish to be framed and established, we promise all the concurrence and assistance that his majesty's commission authorizes and enables us to give.

And we further declare, that this manifesto and proclamation shall continue and be in force forty days from the date hereof, that is to say, from the third day of October to the eleventh day of November, both inclusive.

And in order that the whole contents of this manifesto and proclamation may be more fully known, we shall direct copies thereof, both in the English and German language, to be transmitted by flags of truce to the congress, the general assemblies, or conventions of the colonies, plantations, and provinces, and to several persons both in civil and military capacities within the said colonies, plantations, and provinces. And for the further security in times to come, of the several persons, or numbers or descriptions of persons, who are, or may be, the objects of this manifesto and proclamation, we have set our hands and seals to thirteen copies thereof, and have transmitted the same to the thirteen colonies, plantations, and provinces, above-mentioned; and we are willing to hope, that the whole of this manifesto and proclamation will be fairly and freely published and circulated for the immediate, general, and most serious consideration and benefit of all his majesty's subjects on this continent. And we earnestly exhort all persons who by this instrument forthwith receive the benefit of the king's pardon, at the same time that they entertain a

becoming sense of those lenient and affectionate measures whereby they are now freed from many grievous charges which might have risen in judgment, or have been brought in question against them, to make a wise improvement of the situation in which this manifesto and proclamation places them, and not only to recollect, that a perseverance in the present rebellion, or any adherence to the treasonable connexion attempted to be framed with a foreign power, will, after the present grace extended, be considered as crimes of the most aggravated kind; but to vie with each other in eager and cordial endeavours to secure their own peace, and promote and establish the prosperity of their countrymen, and the general weal of the empire.

And pursuant to his majesty's commission, we hereby require all officers, civil and military, and all others his majesty's loving subjects whatsoever, to be aiding and assisting unto us in the execution of this our manifesto and proclamation, and of all the matters herein contained.

Given at New York, this third day of October, 1778.

CARLISLE,
H. CLINTON,
WM. EDEN.

This tedious manifesto—no less contemptible than detestable—exhibits upon the very face of it, the indelible stamp of weakness and wickedness, of insolence and meanness. The weakness of it appears in the foolish and extravagant supposition pervading the whole, that the Americans could possibly, by such inducements as this paper holds out, be prevailed upon to rescind that declaration of independence to which they had nobly and resolutely adhered in circumstances so much less favourable to its final establishment:—its wickedness, in the menaces it contains of converting the country into a scene of universal desolation, in case the terms proposed by Great Britain

were not complied with:—its insolence, in the modes of expression used in relation to the congress; “their pretended foreign treaties”—“their treasonable connexions with foreign powers,” &c.—its meanness, in offering terms of reconciliation, actuated merely by motives of fear, so far beyond what the colonies themselves had at any time asked, or the British government had ever shewn the least disposition to concede, from sentiments of justice, policy, or benevolence. Of the pride and the folly of the English court at this period, a more striking representation could not be drawn by the pen of satire; and in this consists the real merit of the commissioners’ manifesto.

**PROTEST OF THE LORDS,
AGAINST THE MANIFESTO OF THE THREE AMERICAN
COMMISSIONERS.**

A. D. 1778.

Die Lunæ, Dec. 7, 1778.

Moved,

THAT an humble address be presented to his majesty, to express to his majesty the displeasure of this house at a certain manifesto and proclamation, dated the third day of October, 1778, and published in America under the hands and seals of the earl of Carlisle, sir Henry Clinton, knight of the bath, and Wm. Eden, Esq. and countersigned by Adam Ferguson, Esq. secretary to the commission; the said manifesto containing a declaration of the following tenor:

“If there be any persons who, divested of mistaken resentments, and uninfluenced by selfish interests, really think it is for the benefit of the colonies to separate themselves from Great Britain, and that so separated they will

find a constitution more mild, more free, and better calculated for their prosperity than that which they heretofore enjoyed, and which we are empowered and disposed to renew and improve; with such persons we will not dispute a position which seems to be sufficiently contradicted by the experience they have had. But we think it right to leave them fully aware of the change which the maintaining such a position must make in the whole nature and future conduct of the war, more especially, when to this position is added the *pretended* alliance with the court of France. The policy as well as the benevolence of Great Britain have thus far checked the extremes of war, when they tended to distress a people still considered as our fellow-subjects, and to desolate a country shortly to become again a source of mutual advantage; but when that country professes the unnatural design, not only of estranging herself from us, but of mortgaging herself and her resources to our enemies, the whole contest is changed; and the question is, how far Great Britain may, by every means in her power, destroy or render useless a connexion contrived for her ruin, and for the aggrandizement of France? Under such circumstances, the laws of self-preservation must direct the conduct of Great Britain, and if the British colonies are to become an accession to France, will direct her to render that accession of as little avail as possible to her enemies."

To acquaint his majesty with the sense of this house, that the said commissioners had no authority whatsoever, under the act of parliament in virtue of which they were appointed by his majesty, to make the said declaration, or to make any declaration to the same or to the like purport: nor can this house be easily brought to believe, that the said commissioners derived any such authority from his majesty's instructions.

Humbly to beseech his majesty, that so much of the said manifesto as contains the said declaration, be forth-

with publicly disavowed by his majesty, as containing matter inconsistent with the humanity and generous courage which at all times have distinguished the British nation; subversive of the maxims which have been established among Christian and civilized communities; derogatory to the dignity of the crown of this realm; tending to debase the spirit and subvert the discipline of his majesty's armies, and to expose his majesty's innocent subjects in all parts of his dominions to cruel and ruinous retaliations.

Which being objected to, after long debate the question was put thereon.—It was resolved in the negative:

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Dissentient,

I. Because the public law of nations, in affirmance of the dictates of nature, and the precepts of revealed religion, forbids us to resort to the extremes of war upon our own opinion of their expediency, or in any case to carry on war for the purpose of desolation. We know that the rights of war are odious, and instead of being extended upon loose constructions and speculations of danger, ought to be bound up and limited by all the restraints of the most rigorous construction. We are shocked to see the first law of nature, self-preservation, perverted and abused into a principle destructive of all other laws, and a rule laid down by which our own safety is rendered incompatible with the prosperity of mankind. Those objects of war which cannot be compassed by fair and honourable hostility, ought not to be compassed at all. An end that has no means but such as are unlawful, is an unlawful end. The manifesto expressly founds the change

it announces, from a qualified and mitigated war to a war of extremity and desolation, on the certainty that the provinces must be independent, and must become an accession to the strength of an enemy. In the midst of the calamities by which our loss of empire has been preceded and accompanied, in the midst of our apprehensions for the farther calamities which impend over us, it is a matter of fresh grief and accumulated shame to see, from a commission under the great seal of this kingdom, a declaration for desolating a vast continent, solely because we had not the wisdom to retain, or the power to subdue it.

II. Because the avowal of a deliberate purpose of violating the law of nations, must give an alarm to every state in Europe; all common-wealths have a concern in that law, and are its natural avengers. At this time, surrounded by enemies and destitute of all allies, it is not necessary to sharpen and embitter the hostility of declared foes, or to provoke the enmity of neutral states. We trust, that by the natural strength of this kingdom we are secured from a foreign conquest, but no nation is secured from the invasion and incursions of enemies. And it seems to us the height of phrenzy, as well as wickedness, to expose this country to cruel depredations, and other outrages too shocking to mention, but which are all contained in the idea of the extremes of war and desolation, by establishing a false, shameful, and pernicious maxim, that where we have no interest to preserve, we are called upon by necessity to destroy. This kingdom has long enjoyed a profound internal peace, and has flourished above all others in the arts and enjoyments of that happy state. It has been the admiration of the world for its cultivation and its plenty; for the comforts of the poor, the splendour of the rich, and the content and prosperity of all. This situation of safety may be attributed to the greatness of our power. It is more becoming and more true, that we ought to attribute that safety, and the power

which procured it, to the ancient justice, honour, humanity and generosity of this kingdom, which brought down the blessing of Providence on a people who made their prosperity a benefit to the world, and interested all nations in their fortune; whose example of mildness and benignity, at once humanized others and rendered itself inviolable. In departing from those solid principles, and vainly trusting to the fragility of human force, and to the efficacy of arms, rendered impotent by their perversion, we lay down principles and furnish examples of the most atrocious barbarity. We are to dread that all our power, peace, and opulence, should vanish like a dream, and that the cruelties which we think safe to exercise, because their immediate object is remote, may be brought to the coasts, perhaps to the bosom of this kingdom.

III. Because, if the explanation given in debate be expressive of the true sense of the article in the manifesto, such explanation ought to be made, and by as high authority as that under which the exceptionable article was originally published. The natural and obvious sense indicates, that the extremes of war had hitherto been checked; that his majesty's generals had hitherto forbore, upon principles of benignity and policy, to desolate the country; but that the whole nature and future conduct of the war must be changed, in order to render the American accession of as little avail to France as possible. This, in our apprehensions, conveys a menace of carrying the war to extremes, or to desolation, or it means nothing. And as some speeches in the house, however palliated, and as some acts of singular cruelty, and perfectly conformable to the apparent ideas in the manifesto, have lately been exercised, it becomes the more necessary for the honour and safety of this nation, that this explanation should be made. As it is refused, we have only to clear ourselves to our consciences, to our country, to our neighbours, and to every individual who may suffer in

consequence of this atrocious menace, of all part in the guilt, or in the evils that may become its punishment. And we choose to draw ourselves out, and to distinguish ourselves to posterity, as not being the first to renew, to approve, or to tolerate the return of that ferocity and barbarism in war, which a beneficent religion, enlightened manners, and true military honour, had for a long time banished from the Christian world.

Camden,	Ferrers,
Abingdon,	Stanhope,
Fitzwilliam,	Ponsonby,
Forteseue,	Derby,
Grafton,	Cholmondeley,
Craven,	Spencer,
J. St. Asaph,	Rockingham,
Richmond,	Tankerville,
Bolton,	Manchester,
Scarborough,	Portland,
Foley,	Beaulieu,
Radnor,	Harcourt,
Egremont,	Effingham,
Abergavenny,	Wycombe,
Coventry,	Devonshire.
De Ferrars,	

It cannot, and ought not to escape observation, that of all the bishops present at the debate which produced this memorable protest, one only, the venerable Shipley of St. Asaph, the friend and disciple of Hoadley, is to be found in the list of the minority. When all history proves that the clergy, who have by any means risen into power, shew themselves, in their collective capacity, almost uniformly the determined and inveterate enemies of the civil and religious liberties of mankind, evidently estranged

from the common sympathies of humanity, this striking fact is undoubtedly resolvable into certain moral causes, perpetually, though silently, operating. These causes have been, with great philosophical acuteness and precision, developed by Mr. Hume, who has clearly demonstrated, that in a very important sense, priests of all religions are, and ever must be expected to remain, the same.—*Essays*, vol. i. p. 209.

VINDICATION OF THE EARL OF CHATHAM.

A. D. 1778.

Soon after the death of the earl of Chatham, which took place May 1778, a report very injurious to his memory was spread abroad with much confidence, that this great statesman had, in the course of the preceding winter, “courted a political negotiation” with the earl of Bute. In order to refute this strange notion, a paper was circulated under the sanction of the family, stating the circumstances which led to this misapprehension, bearing the title of “an authentic account of the part taken by the earl of Chatham in a transaction which passed in the beginning of the year 1778.” This publication drew a reply from lord Mount Stuart, eldest son of the earl of Bute; which produced a letter in answer from Mr. Wm. Pitt, younger son of the earl of Chatham. The high character and distinguished services of this great man, render the task of rescuing his memory from unfounded aspersion a sort of historical obligation.

It appears from the vouchers published on this occasion, that the singular idea of effecting a political coalition between the lords Bute and Chatham, was formed in the winter of 1777-8, by sir James Wright, late go-

vernor of Georgia, an intimate friend of the former, and communicated by him to Dr. Addington, the celebrated physician, a no less intimate friend of the latter. According to the narrative of Dr. Addington, inserted in the AUTHENTIC ACCOUNT, sir James Wright, in a conversation held with him about the beginning of January, lamented in strong terms the situation of the country, and gave it as his opinion, "that the only method of saving it was for lord Bute and lord Chatham to unite firmly together." In subsequent conversations, sir James Wright renewed the discourse, adding, "that he was sure lord Bute had the highest respect for lord Chatham; that he had heard lord Bute bestow great commendation on his speech at the beginning of the session, and that the doctor might tell him so if he pleased."

On Monday the second of February, sir James asked Dr. Addington whether he had mentioned their former conversation to lord Chatham? He said he had not. Sir James then said, "that since that conversation he had seen lord Bute, and was certain he had the same earnest desire with lord Chatham to save the country; and was also certain that nobody could save it but lord Chatham, with the assistance of lord Bute—that lord Bute was *ready* to assist him, and would be secretary of state in the room of lord Weymouth." And being once or twice asked after this meeting, by Dr. Addington, whether lord Bute would have been secretary of state in lord Weymouth's room? Sir James answered, "Yes—he would or would not, just as lord Chatham pleased."

At the close of the conversation of February 2d, sir James expressed a wish that the whole which had passed might be communicated to lord Chatham. The doctor considering this overture as a matter of great moment, desired to have in writing the substance of what had been said by lord Bute to sir James. This was acceded to, and early the next morning (Tuesday) a letter was received

from sir James Wright by Dr. Addington, who set out with it directly for Hayes. In this letter sir James was far less explicit than in the previous conversation; but it contained nevertheless several curious particulars. It is *verbatim* as follows:

“As I immediately on my return from lord Bute’s, took down in short-hand the principal heads of it, I think I shall not deviate materially from the very words of the conversation, at least, if the spirit of his lordship’s language is debilitated, the essential matter of it is the same. I told lord Bute, that a friend of mine, whose honour and sincerity I could rely upon, had hinted to me, that he thought lord Chatham had a high opinion of his lordship’s honour, as well as his sincere good wishes for the public safety *. He inquired who my friend was? I told him it was you. He replied, “I know he is much lord Chatham’s friend: I know also that he is an honest man, and a man of sense.” I related to him the conversation that had passed between yourself and me, at our last meeting. He said, lord Chatham was one of the very few he had ever acted with in administration, who had shewn great honesty and generosity of sentiment, with a sincere conduct and intention for the king’s and the public welfare. That as for himself, he said, he had no connexion with any one in administration; that he had not the least distant friendship with lord North, or he should certainly advise him, by all means, to aim at gaining lord Chatham over to the king’s service and confidence. “And,” said he, “you may tell your friend doctor Addington, to assure lord Chatham, that if he should think proper to

* This was a gross misrepresentation of Dr. Addington’s statement of lord Chatham’s sentiments; for the doctor in his narrative expressly declares “that though he told sir James Wright that lord Chatham he believed bore no ill will to lord Bute, or any man with whom he differed in politics, he had never to the best of his remembrance heard him mention lord Bute’s name.”

take an active part in administration, he shall have my most hearty concurrence and sincere good wishes; and you have my full leave to communicate all my sentiments on this subject to your friend." He continued saying many respectful things of lord Chatham; adding, "had we not unfortunately disagreed about the last peace, I am sure he and I should have continued such steady friends, that this country would never have experienced her present severe misfortunes." He also said, the prior part of lord Chatham's last speech was manly and constitutional, and could not but induce every one, a well-wisher to his country, to wish to see him again take a part in the government of the king's affairs, which would be a happiness for the whole empire. He continued saying, "perhaps we have men of abilities in the house of lords; but those in administration, except lord Suffolk, who is usually ill half the year, are none of them sufficiently serious, or attentive enough to the business of the nation, which is now of so much consequence as not to be neglected in the least degree." He therefore could not say he had a good opinion of their conduct. He also said in the course of the conversation, that nothing but the most imminent danger to this country should induce him to take a part in the government of it, *unless* in conjunction with an upright and able administration. Much more was said, but of less moment; however, all tended to convince me that there are not two other men in the kingdom more faithfully inclined to the good and safety of our present distracted nation, than our two noble friends."

On hearing this letter read, lord Chatham dictated the following message, taken down in writing by doctor Adington, and a copy of it forthwith transmitted to sir James Wright.

"Lord Chatham heard with peculiar satisfaction, the favourable sentiments on his subject, of the noble lord with

whom you had talked, with regard to the impending ruin of the kingdom. He fears all hope is precluded, but adds, that zeal, duty, and obedience, may out-live hope; that if any thing can prevent the consummation of public ruin, it can only be new counsels and new counsellors, without farther loss of time; a real change from a sincere conviction of past errors, and not a mere palliation, which must prove fruitless."

As soon as doctor Addington had writ and read to lord Chatham the above answer, he communicated to his lordship such parts of the conversation he had held with sir James Wright, as were not included in the letter—particularly the remarkable circumstance of sir James's having said, that lord Bute and lord Chatham did not differ in political sentiments, with what sir James had told him of the readiness of lord Bute to be secretary of state in the room of lord Weymouth. He seemed to think it strange: "Indeed," said he, "did sir James tell you so?"—"He certainly told me." After this, the doctor asked lord Chatham, whether he had any objection to coming in with lord Bute or lord North? He lifted up his hands, and said, "It was impossible for him to serve the king and country with either of them: and if any one asks you about it, I desire you to bear witness that you heard me say so." His lordship repeated the same words just as the doctor was leaving him.

The next conference between sir James Wright and the doctor, did not take place till the morning of Friday the 6th of February, when some symptoms of chagrin were discernible on the part of the former. He asked what was meant by the words "real change?" It looks, said he, as if they included lord Bute as well as the ministry. If lord Chatham has a mind to undertake the direction of public affairs, there will be no objection to his having the assistance of lord Camden; but there are some he might

choose, who could not be admitted. Sir James farther said, he was to wait on lord Bute at one that day, and would send the doctor an answer to lord Chatham's paper between two and three, if lord Bute should choose to give any.

Having waited in vain till the next day for the arrival of this expected answer, Dr. Addington wrote, February 7th, Saturday 2 o'clock, an account of this last conversation with sir James Wright, to the earl of Chatham, in which he mentions, that having called between two and three on Friday, at sir James Wright's, for the answer in question, agreeably to his engagement, he found that sir James had been at home, and but a few minutes before his arrival had been called back again to his friend, and that he had received at five, a short note only from sir James, saying that he would write him an account of his conversation with lord Bute, by the post next day. The doctor conjectured that more persons than one were to be consulted before this account could be given. "As far," says the doctor, "as I could learn, all parties would be pleased with your lordship and lord Camden, and that no objection was likely to be made to more than *one* of your lordship's friends. Sir James wished that your lordship and his friend could have an interview, adding, that he really believed it was in the power of your lordship and his friend to save the nation." To this the doctor replied, "that he believed the king and lord Chatham could save the nation, and that lord Bute might be instrumental to its salvation, by turning the royal mind from past errors."

Immediately on the receipt of this letter, lord Chatham wrote an answer to it in the following indignant terms :

"*Hayes, February 7.*—The conversations which a certain gentleman has found means to have with you, are on his part of a nature too insidious, and to my feeling, too offensive, to be continued or unrejected. What can this

officious emissary mean, by all the nonsense he has at times thrown out to you? The next attempt he makes to surprise friendly integrity by courtly insinuation, let him know that his great patron, and your village friend, differ in this—one has brought the king and kingdom to ruin: the other would sincerely endeavour to save it."

On the succeeding day (Sunday, February 8th), doctor Addington received a letter, dated February 7th, from his friend sir James, who had by this time resumed, no doubt, in conformity to his instructions, all his former good humour. "I communicated, my dear doctor," says this political busy-body, "our conversation of yesterday to my friend soon after I left you, and then shewed him a copy of the paper you allowed me to transcribe. You will easily recollect, on my first reading it over with you, the observation I made on that particular expression in it, "a real change, and not a mere palliation," namely, that your noble friend still thought lord Bute had influence in the measures of administration. In the very same light *he* also construed this expression; he therefore desired me to inform you, for the instruction of your friend, that the ill health he had long been subject to, united with the distresses of his family, had accustomed him to a perfectly retired life, which he hoped as long as he lived steadily to adhere to. He added, that his long absence from all sort of public business, and the many years which had intervened since he saw the king, precluded him from forming any idea of measures past or to come, but what he gathers from very general conversation, or the newspapers; and this total ignorance, he said, renders the opinion given of the present dangerous crisis, more alarming to him than it would otherwise be, and much more painful; as notwithstanding his zeal for the country, love for the king, and very high opinion of lord Chatham, he has it not in his power to be of the least use in this dangerous emer-

gency, and that from his heart he wished lord Chatham every imaginable success in the restoration of the public welfare."

From this letter it seemed reasonable to infer, that although lord Bute had *now* relinquished the idea of taking a personal share in the future administration, it was still in contemplation to call the great talents of lord Chatham once more into action. And sir James already, as it should seem, regarding lord Chatham as first minister, concluded his letter with very lavish professions of his own integrity and patriotism, and earnest wishes "that it was in his power to give his correspondent's great and invaluable friend, the most convincing proofs of his assertions, and of the profound veneration he entertained for him."

It is somewhat remarkable, that doctor Addington received by the very same post, the above letter from sir James Wright, declaratory of his profound veneration for lord Chatham, and the note from lord Chatham, expressing his supreme contempt for sir James Wright. The doctor sent the former immediately to Hayes, and lord Chatham being at the time ill with the gout, lady Chatham wrote the doctor an answer, acknowledging the letter of sir James Wright to be handsomely written, and sufficiently explicit, and at the same time, by her lord's desire, pointing out the great incongruity between this and the former communications. The doctor took the first opportunity to acquaint sir James with the sentiments contained in this letter, and also with the contents of the latter part of lord Chatham's preceding note. This procedure necessarily and abruptly terminated the negotiation*.

* Something of mystery hangs over this part of the transaction. When lord Chatham penned his indignant note of February 7, so characteristic of his open and ardent temper, he undoubtedly thought that lord Bute wished, by insidious means to draw him into a political coalition, to the very mention of which it would disgrace him even to listen. But sir James Wright's

Soon after the publication of doctor Addington's narrative, included in the AUTHENTIC ACCOUNT, sir James

letter of the same date, written with guarded caution, and after a long pause of deliberation and consultation, set matters in a new and very different light. Lady Chatham says, "It is impossible not to remark how widely it differs from the tenor of some of the intimations conveyed in former strange conversations to you. The letter now before him, *i.e.* lord Chatham, is written also with much sense and candour, as coming from a heart touched with the extreme danger of the king and kingdom." And she tells Dr. Addington, "that lord C. desires her to express for him the true sense he has of all his very friendly attention in this very delicate and critical situation." It is evident upon the whole, that lord Chatham, retaining his original belief of lord Bute's irresistible influence over the king, was now of opinion that he was disposed to exert it for the purpose of effecting a total change of system, and that relinquishing every idea of taking any active part in the future administration, he would be satisfied with throwing every thing into the hands of lord Chatham. And this certainly appears to have been the true meaning of sir James Wright's letter, if it contained any serious meaning at all.

The note of doctor Addington to lord Chatham, in reply to his indignant one, was written after the receipt of sir James Wright's communication of the 7th, and it is as follows:

"I am infinitely obliged to you, my dear lord, for your very kind and friendly caution against surprise and insinuation. It shall never be forgotten; and when I see the gentleman next, which perhaps may be to-morrow, your lordship's wise and noble commands shall be literally obeyed. The inclosed letter, which was promised to come yesterday by the post, arrived this morning by a special messenger. It needs no comment of mine. I am sure your lordship will understand the language and drift of it much better than I can, or any body else. I am impatient to see your lordship in town, and pray for a few minutes with you to-morrow. The time is come for you, and you only, to save a king and kingdom. Your lordship knows that I am ever, &c."

In this note, the doctor shews himself fully aware of the importance of sir James Wright's last communication, and yet at the same moment resolves to take an infallible method to render the whole negotiation abortive, by disclosing to sir James, and of course to lord Bute, a declaration penned by lord Chatham under very different circumstances, and when he was actuated by very different views and apprehensions. At the precise time when lord Bute seemed laudably disposed to make every personal sacrifice for the good of the country, a communication was made to him on the part of lord Chatham, which he must unavoidably regard as a gross insult. And this was done by the injudicious zeal of doctor Addington, after the receipt of lady Chatham's letter, which so plainly indicated the more favourable view

Wright thought proper publicly and solemnly to declare, that he had no authority directly or indirectly, to suggest to doctor Addington, any terms on which lord Bute wished lord Chatham to come into administration. And some time afterwards, lord Mount Stuart, eldest son of lord Bute, published a statement of this affair, in vindication of his father, in which he inserted a letter from the earl of Bute to lady Chatham, dated August 16th, 1778, from Luton park, as follows :

“MADAM,

“I am happy in the opportunity your lordship gives me, of relating to you all I know concerning a transaction in which both lord Chatham and I, have been strangely misrepresented to each other, and concerning which, so many falsehoods have been industriously propagated. When sir James Wright communicated to me the very flattering language in which he declared lord Chatham expressed himself concerning me, I was naturally led to mention my regard for his lordship, and the high opinion I entertained of his superior talents, hoping from what was then publicly talked of, to see them once more employed in the ministerial line. And collecting from sir James, that the knowledge of my sentiments would not on this occasion be displeasing, I did not hesitate to express my hearty wishes that this important event might soon take place. Some time after this, I was extremely surprised with a conversation, sir James said, doctor Addington wished to be reported to me. It was in substance, lord Chatham's opinion of the alarming condition we were in, and the necessary measures to be immediately taken upon it. As such a communication to a person in my re-

which lord Chatham entertained of the overture made on the part of lord Bute, in consequence of the last communication of sir James Wright; and thus every hope of political salvation from this quarter, was finally frustrated.

tired situation, seemed only made on a supposition that I had still some share in public councils, it appeared necessary for me to dictate to sir James my answer, in which, after lamenting the dangerous situation of affairs, unknown to me in such an extent, I added, that this affected me the more, as my long illness, and total seclusion from all public business, put it out of my power to be of the least service. This, madam, is the whole I was privy to in this affair, and all that passed between sir James and me upon it."

"If any farther explanation can be necessary," says lord Mount Stuart, "from my father, respecting either the design or purport of his message, he allows me to say in his name, that he did perhaps erroneously consider doctor Addington's representations of lord Chatham's manner of speaking of him, as reported at the time by sir James Wright, to be intimations thrown out by his lordship, in order to know his, my father's, sentiments upon the subject of his coming then into administration: for which reason my father did not scruple to send a message by the person from whom he derived his information, signifying, that if lord Chatham was appointed to administration, the hearty concurrence of his judgment, and sincere wishes of success, would follow that appointment. He avers at the same time, that he did not conceive a thought of proposing himself for any office, or of accepting any office with him; his own inclination having never prompted him, nor his state of health admitted him, to engage in public business, except on very few occasions in the house of lords, from the time of his quitting the treasury in 1763. Neither did he entertain an idea of suggesting to lord Chatham any arrangement of an administration; his wishes, and the communication of them through sir James Wright, having solely regarded lord Chatham.

"There is another passage which appears to me more

material still with respect to my father, than what I have already mentioned. This is the copy of the note from lord Chatham, in his own hand-writing, to doctor Addington, saying, "The next attempt he (sir James Wright), makes to surprise friendly integrity by courtly insinuation, let him know, that his great patron, and your village friend, differ in this—one has brought the king and kingdom to ruin: the other would sincerely endeavour to save it."

"Here is a letter under the earl of Chatham's hand, vouched to be such by the authority of his family, imputing to lord Bute those counsels which, lord Chatham says, whether justly or erroneously is not the present question, have ruined the king and kingdom. Every reader will at once have understood this imputation to be founded on lord Chatham's opinion of lord Bute's secret influence, as it is called, by which he has been imagined to dictate or control the measures of the cabinet, ever since the earl of Chatham left it. Lord Bute has not been ignorant of the long prevalence of that error, having seen himself most injuriously treated in consequence of it for many years past, by writers of pamphlets, newspapers, essays, and political paragraphs, all which he passed over in silent indignation and contempt: but when he sees the same cruel mistake advanced and countenanced by such an authority as the earl of Chatham, he thinks he should be wanting to himself, if he did not encounter it with the best evidence that can be supposed to lie within his reach.

"There are but two persons in the kingdom, who are capable of knowing the negative of that opinion with absolute certainty. One of them is of a rank too high to be appealed to, or even mentioned on this occasion; the other is himself. He does therefore authorize me to say, that he declares upon his solemn word of honour, he has not had the honour of waiting on his majesty, but at his levee

or drawing-room, nor has he presumed to offer an advice or opinion concerning the disposition of offices, or the conduct of measures, either directly or indirectly by himself or any other, from the time when the late duke of Cumberland was consulted in the arrangement of a ministry in 1765, to the present hour."

This was followed by a well-written letter from Mr. William Pitt, younger son of lord Chatham, tending to establish, in opposition to some remarks of lord Mount Stuart, the general result of the AUTHENTIC ACCOUNT, "that the late earl of Chatham, not only did not court a political negotiation with the earl of Bute, but without hesitation peremptorily rejected every idea of acting with his lordship in administration"—a proposition which it was indeed idle and absurd to contest.

The scene was closed by the second appearance of the "officious emissary," sir James Wright, on the stage. His letter contained many irrelevant observations, the chief object of which was, to depreciate the highly respectable character of Dr. Addington, in order to invalidate the force of his evidence; but he did not venture explicitly to deny the truth of any fact stated in the doctor's narrative. One assertion only merits specific notice. "The conversations," says sir James Wright, "whatever they were, which passed previously to the 3d February, make no part of what is called the negotiation. For the doctor set out with the caution of a veteran member of the "corps diplomatique."—He determined not to trust to mere conversation. He desired to have in writing the substance of what had passed between him and sir James. He had it in writing. To this written evidence then let the reader advert. It was on that which was written, and on that alone, the doctor was to negotiate. All that had passed, and which was not written, was in that very paper declared to be of *little concern*."

This *passage* lies open to severe animadversion. For,

1st, if the paper written by sir James Wright, did in reality hazard such a declaration, it declared a falsehood; for several things passed in conversation with doctor Addington, which were of *great concern*, and which the doctor was allowed to communicate to lord Chatham, though they were not contained in the paper—particularly that lord Bute did not differ in political sentiment from lord Chatham, and that he was ready to take the office of secretary of state in the room of lord Weymouth.—But, 2dly, the paper did not make any such false declaration. After relating that lord Bute, in the course of conversation with sir James Wright, had said that, “*nothing but the most imminent danger to the country, should induce him to take a part in the government of it, UNLESS in conjunction with an upright and able administration;*” it is simply added, “that much more was said, but of less moment;” an expression surely by no means equivalent to that substituted by sir James, of “little concern.”—But, 3dly, and chiefly, the written declaration of the 3d February, differs totally, as is justly remarked in lady Chatham’s note, from the written declaration of the 7th of that month, in which sir James expressly says, in the name, and nearly in the very words made use of by lord Bute himself, in his letter to lady Chatham, “*that he had it not in his power to be of the least use in this dangerous emergency.*” And in another part of this communication, sir James informs doctor Addington, by lord Bute’s express desire, for the instruction of his noble friend, that the causes specifically stated in this paper, “had accustomed him to a retired life, which he hoped as long as he lived steadily to adhere to.” This radical and flagrant inconsistency, sir James Wright makes no attempt whatever to explain or to palliate. That this “officious emissary” far exceeded the limits of his commission, is indeed highly probable; but that he was, in consequence of the artifices practised upon lord Bute by sir James Wright,

allowed to sound the earl of Chatham, through the medium of doctor Addington, how far a coalition of measures and of interests between these noblemen would be acceptable to the latter, must be admitted as the hypothesis which most easily solves the attendant difficulties. But when lord Chatham had, in his ardent and characteristic language, pointed out the difference between the "great patron" of sir James Wright, and "the village friend" of doctor Addington, the negotiation was necessarily and for ever at an end. It only seems requisite to add, that if the assertion of lord Bute, as to his non-access to the king, was true, and there is no reason to doubt the personal honour of that nobleman, he left those about the royal person, who had too deeply imbibed his lordship's principles and maxims of government, to allow the monarch, or the nation, to reap any advantage from his absence.

MANIFESTO OF THE COURT OF SPAIN,

DECLARING THE MOTIVES WHICH HAVE INDUCED HIS
CATHOLIC MAJESTY TO ACT HOSTILELY AGAINST
ENGLAND.

A. D. 1779.

THIS manifesto extends to such an immoderate length, and is for the most part so futile and frivolous, as to justify the omission of by far the greater proportion of the whole—retaining those heads of accusation merely, and those details, which are useful for the purposes of general history.

MANIFESTO, &c.

I. It would be too long to relate minutely, all the grievances which Spain might complain of since the conclu-

sion of the treaty of peace in 1763. By the 16th article of that treaty, England acknowledged the bay of Honduras as making part of the Spanish dominions.—Not satisfied with these violences, they have established themselves in many other ports, rivers, and coasts of the Spanish territory, in the said bay of Honduras, Rio Tinto, Rio Matina, &c. in which places they could not even allege the specious pretence of cutting logwood, but manifestly with a design of usurping foreign dominion, and of smuggling various merchandizes without any discretion. Wherever they set their feet for the purposes of settlement, the English behave in the same manner. For example, on the coast of St. Blas, a province of the Darien, they engaged the Indians that inhabit the frontiers of the Spanish settlements to raise a revolt—giving them all succours, and decorating them with pompous patents and brevets, or commissions of command, under the protection of Great Britain.

Many have been the attempts made by the English within these few years, to drive into rebellion against Spain, those nations of India, their allies and friends, who inhabit the lands contiguous to Louisiana. Applications have been regularly made to the court of London on different occasions, for the redress of various offences of that nature; and though its answers have been made in general terms, such as these, "*we shall take notice of that, and send the necessary orders,*" Spain has not yet seen the alteration which she expected in all wisdom and justice.

II. Spain gave in regard to prizes, orders similar to those of France, and it caused them to be put in execution with so much rigour and exactness, that several American privateers, and among others, the famous Cunningham, exasperated against Spain, retaliated, by using the Spaniards very ill, and making upon them reprisals which have not as yet been delivered back, though often asked for.

III. The court of London, with an intent of keeping at hand a specious pretence for a rupture, affected great uneasiness on account of the mercantile correspondence carried on between some merchants of Bilboa, and others of the English colonies, though that correspondence had begun several years before their rupture with the mother country. The English ministry discovered the like uneasiness, for a like mercantile correspondence carried on by some merchants of Louisiana with the Americans, and pretended to call the Spanish government to an account for that contravention to its own laws in that part of the world; and the English commanders of those parts pretended proudly, that the inhabitants prosecuted by them should not be allowed to take refuge in Louisiana, whilst the royalists were made welcome there, being under no apprehensions for their lives or properties: for which generous dealing, several of them returned thanks to the Spanish government. The Spanish government did not confine itself to those tokens of humanity. Having heard of a great scarcity of flour prevailing at Pensacola, it spontaneously sent a good quantity of it into that place: threats, violences, and the hostile proceedings laid down in the foregoing articles, are the only thanks the ministry and the English nation gave for the same.

IV. For fear we should be detained in the enumeration of the events anterior to these late times, we shall only say, that the insults offered by the English navy to the Spanish navigation and trade, from the year 1776 till the beginning of the present year 1779, were already 86 in number, including prizes taken by unjust practices, piracy, and robberies of various effects out of the vessels; attacks made with gun-firing and other incredible violences. Since the said month of March, and notwithstanding the memorial presented by the ambassador, marquis d'Almadovar, on the 14th of the same, in which he complained of the principal grievances, and revived the me-

memorials that had preceded, three Spanish ships were taken by the English on the 12th, 19th, and 26th April, viz. the *Nostra fra de la Concepcion*, the *La Virgen de Gracia*, and the *Las Almas*; which proceeding, together with the other insults, of which a detail was sent to the same ambassador, in order to be laid before the English ministry, were sufficient motives for the ambassador to assert in his final declaration, presented to the ministry on the 16th June, that the grievances of the late years did not fall much short of a hundred.

V. In the two last years, and till the beginning of March of the present year, the English navy has insulted at twelve different times in the European and the American seas, the ships of his Catholic majesty, &c.

VI. The English nation entered the Spanish territories eleven times within a very few years past, &c.

VII. The complaints of the court of Spain have been as many as the insults offered; memorials having been repeatedly presented from time to time in London and in Madrid; so that they might be said to have been innumerable. Nevertheless, the king of England told his parliament precisely, that many of them never came to his knowledge, adding moreover, that he was fully convinced he had never given occasion for the unjust proceedings of Spain. We now say it over again, complaints have been so repeatedly made, that on the 5th February, 1778, Don Francisco Escarano, having exposed and shewn some of them in writing to lord Weymouth, did express plainly how tired he was presenting so many. These were the expressions made use of by Spain, in February 1778. Let us now see what that court said on the 14th of March in the present year, by the channel of the marquis of Almadovar, in a memorial written for that purpose to the viscount Weymouth. “In a word, had even every circumstance concurred to hinder or delay the instruction which the British ministry desired, previous to its giving

redress to my court, the king my master, thought at least, that orders sent by his Britannic majesty to his officers, should have stopt the course, at least of those vexations. So far from it, advice is continually received at Madrid, of recent injuries." This memorial, given in the month of March, produced nothing but fine promises on the part of the English ministry, without preventing the making prizes, and committing other insults in the months of April and May following. We may reasonably question whether the English ministry ever took the trouble to read the notes or enumeration of the grievances; and if not, the reason is obvious why his Britannic majesty had never been informed of them, as he was pleased to announce to his parliament.

VIII. All the European powers know full well the practices of the English navy in its depredations: what country has not experienced them, either in the present or the late war between France and England?

IX. The injustice of the sentences pronounced by the English judges of the admiralty, and their extravagant conduct, may be ascertained by the two following cases: The Spanish ship, *St. Celmo*, &c.—The packet, *St. Pedro*, &c.

X. No other power has experienced like Spain, the aggressions and usurpations of the English government, made in the time of the most profound peace, &c.

XI. In spite of the projects and public threats of several members of the English parliament, who proposed to settle the disputes with the Americans, in order to make war against the house of Bourbon, the Catholic king never would make any treaty with the colonies.

XII. The Spanish chargé des affaires in London, don Francisco Escarano, had instructions (March 24) to declare to the English ministry, that though his Catholic majesty had taken no share in what had happened between France and America, and was still resolved to preserve the peace; this was to be understood as long as his majesty

could make it consistent with the dignity of his crown, &c.

XIII. It has been the manifest leading project of England, to bring about a re-union of the colonies with the crown, in order to arm them against the house of Bourbon, or to lead that same house into an error, by means of treacherous negotiations and treaties, in order to take revenge on the colonies, after having made them enemies to France.

XIV. The king of Spain could not observe a greater circumspection than he did, to avoid engaging himself in a fruitless negotiation, or getting entangled in its consequences. Sending orders on the 19th April, 1778, to don Francisco Escarano, directing him to require from the British ministry, a manifest declaration, expressing their real wish and desire for a negotiation with France, by the mediation of his majesty, and setting forth the chief articles whereupon to ground it. Those and other like precautions, became necessary with a ministry that always affects to speak mysteriously, ambiguously, and with artful restrictions, &c.

XV. Orders were sent to Escarano, on the 23d and 25th of May, and on the 1st June last year, directing him to keep a profound silence upon the negotiation that had been agitated, and to declare again to the court of London, that his Catholic majesty was always in the same pacific disposition, and would continue so as long as the conduct of the English nation should not compel him to alter his sentiments.

XVI. It is evident that hostilities were committed by England against the Spanish territories, and the Spanish flag, under the mask of friendship, and in the midst of the most cordial protestations and assurances of peace.

XVII. It would not appear strange, if clandestine orders, similar to those given to take possession of the French settlements in the East Indies, had been sent in the begin-

ning of this year to fall upon the Philippine islands, at a time when his Catholic majesty spared no pains to obtain an honourable peace for England, and free that nation from great misfortunes and calamities.

XVIII. The Catholic king continued his mediation to his most Christian majesty, with an intent of making a peace, not only because his religious and pious heart, and the love he professes to his subjects, and to the human race in general, inspired him with those sentiments; but moreover, because the court of London continued to insinuate its desire of coming to an accommodation with France. And indeed hardly was the count of Almadovar arrived in London, but he acquainted his own court on the 14th September, 1778, that in a long conference he lately had with the viscount Weymouth, that minister had concluded his discourse with these terms: viz. “that the king his master, knew the amiable dispositions of his Catholic majesty; that he was indebted to him for his demonstrations of friendship; and most sincerely desired to terminate the present war by his mediation, by a method consistent with the honour of the crown of Great Britain, and by which at the same time an equal regard should be paid to France.” In consideration of the usual tenderness and honour due to the crown, lord Weymouth recommended to the marquis d’Almadovar, not to use in his dispatches—as he, Weymouth, would have the same care in his own—these words, “to ask the mediation,” but to request and to wish that “his Catholic majesty should interpose his mediation.” The lord Grantham spoke substantially the same language in Madrid; and his Catholic majesty having taken it into his consideration, ordered a note or memorial to be delivered to that ambassador, on the 28th of the said month September, and a copy of the same was dispatched to the marquis of Almadovar, with direction to communicate it to the English government. We thought it indispensably necessary to write out the

answer contained in the same memorial, because it will throw light upon and serve for the right understanding of the said negotiation, and which was as follows :

“ The king considering what has been written by his ambassador the marquis of Almadovar, and out of love for mankind, and moreover to continue upon good and amicable terms with both the kings of France and Great Britain ; and also lest he might be reproached with refusing to promote, as far as lays in his power, the tranquillity of Europe, he has resolved to notify to each court, that if they sincerely wish to enter into a plan of reconciliation by the mediation of his majesty, without prejudice to the honour of either crown, but with an anticipated anxiety for the dignity of both, the most regular and decent mode of proceeding is, that each court should deliver into the king's hand without delay, and at the same time, the conditions and the articles they intend to obtain, or to grant, by the treaty, that his majesty may communicate to the one court the propositions of the other, to the end that they may be modified, discussed, or refused. That after a due examination of the whole, his majesty shall propose his own plan of pacification, to terminate the difference. That the negotiation must stipulate the method of concerting with the Americans ; without which, the wished for peace cannot be attained. And finally, that at one and the same time the conditions relative to the private interests of England and Spain, shall likewise be discussed and settled. That the king would be sorry if this method was not adopted, or if the negotiation was not conducted with sincerity ; since, in spite of the wishes and pacific dispositions of his majesty, he foresees that the circumstances of the present war must oblige him to become a party ; the necessity of having his flag respected, and of repelling the insults which are daily offered to his subjects, having occasioned expensive armaments and immense losses.”

The conclusion of the foregoing answer caused much uneasiness to the court of London, which nevertheless sent a frigate that entered the port of Corunna, on the 10th November, with dispatches for lord Grantham, with the answer of the said court. That answer was delivered on the 14th of the said month of November, and the contents of it were, that the court of London accepted with pleasure the mediation of his Catholic majesty, to settle the differences that existed between England and France, provided the latter would withdraw the succours and aid it gave to the colonies. As to the articles relative to the reciprocal interest of Great Britain and Spain, the reply was, “that his Britannic majesty was ready at all times, and wished earnestly to enter into that discussion; and to settle them so as to establish reciprocal advantages to both empires.” The Catholic king, in compliance with the tender he had made to both courts, communicated to each of them, on the 20th November, the pretensions, propositions, and overtures made respectively; persuading both of them with various reasonings, to seek means and temperaments productive of a sincere and honourable reconciliation. At the same time a letter was sent to the marquis of Almadovar, setting forth what follows: viz. “Your excellency is authorized to settle the matters relative to our own interest, on which important business the utmost efforts of your zeal must be employed; since the king, who wishes sincerely to preserve the peace, will receive the greatest pleasure, if he sees those differences satisfactorily settled. To the same purpose let your excellency remind the English ministry of the generosity of Spain, for its impartial proceedings, in circumstances so critical as the present ones. But let your excellency represent how badly we have been answered, and how ill we are constantly treated by the English navy, as may be ascertained from the insults that our navigators receive almost daily in different parts of the ocean, and in the very ports

and places on the coasts of this peninsula. That court will understand, that the greatest protestations of friendship have no force to persuade, while repeated insults are never reprov'd or chastised; especially after we have been for years exposing to them our grievances in the most cordial open manner, and with the most cautious expressions.

“ Your excellency is not ignorant of what has been regulated by the preliminaries of the treaty of Paris, in the year 1763, in the 16th article, relative to the English settlements in the bay of Honduras, and other adjacent territories. It was there stipulated in positive terms, that whatever fortifications had been built, they should be demolished; and that the English should only be allowed to have some houses and magazines, without being molested in the cutting, or in the carriage of the logwood, out of the territories which have always been acknowledged to belong to Spain. Not only that demolition was never performed, but the fortifications have been even augmented, and there is now artillery and garrisons in them; so that those plantations have been converted both into a military government with patents, and by the authority of that court; and into a permanent colony, by the usurpation of foreign territories, and a formal contravention to the treaties.

“ Other enterprises of the same nature have been made in different parts of those extensive coasts, as your excellency will find related in the papers of the secretaryship. And your excellency is likewise desired to take notice of the artful machinations made use of by the English, to arm the Indians against the Spaniards. There being no possibility of establishing a solid and sincere friendship, except redress be given for such notorious grievances, and except they be prevented to happen in future, it becomes the court of London to compensate those injuries, according to the dictates of equity, and then others will be laid before the said court with the same freedom. Those re-

dresses, however, once granted, England will find no instances of better disposition than those harboured in the heart of our august sovereign.

“ I have at different periods acquainted your excellency, as I had often done your predecessor in the embassy, of the various insults we received near Louisiana, wherein the English either instigated the Indians, our allies, to raise a rebellion against us, and to fight us with the arms and ammunition they had put into their hands, or insulted the Spanish plantations and settlements, and even threatened to attack the capital towns with their men of war, under the most frivolous pretences no way excuseable. On this head I shall only add, that extortions have been so continual, that they cry aloud for a prompt remedy.

“ Finally, your excellency is well informed of all the insults we have suffered, and which we never deserved either by our past or present conduct. Consequently your excellency will expose our rights with the greatest cordiality and moderation, to the end that the English ministry may be convinced of the rectitude and sincerity of our conduct, and of the necessity of settling at once our differences, and of regulating our claims and interests: at the same time stifling whatever may lead to any future discord, for the respective utility of both nations, upon which I refer to the instructions sent to your excellency. A sufficient power has already been invested in your excellency, and a greater one will be given if necessary, the more effectually to consolidate the friendship of the two courts; which important point, and that of a general peace, are the two objects which the magnanimous heart of our sovereign greatly longs after. I suppose, however, that your excellency will not forget that we can do nothing whatever against the interest of France, whose friendship must always be one of our greatest concerns.”

In consequence of the facts and transactions already enumerated, the world will be convinced of the circumspec-

tion, sincerity, and attention, with which the Catholic king has endeavoured to conclude a peace solidly cemented, and to obtain from England redress for an infinite number of insults. The court of London, moreover, affects now to compel his majesty to take up arms—a part he has already taken, by renewing the insults without any appearance of offering redress.

XIX. The propositions of England, in answer to the dispatches of his Catholic majesty of the 20th November, 1778, were not received in Madrid before the 13th January, 1779, and were the result of a conference held the 28th of December last, between the marquis d'Almadovar and the viscount Weymouth. What has been the conduct of that minister in this occurrence, may be collected from the following expressions contained in the dispatches, designed as an answer, and directed to the marquis of Almadovar on the 20th of the same month, January: "I have read to the (Catholic) king"—these are the very words—"the whole dispatches of your excellency, as well as the paper delivered to you by lord Weymouth. I have at the same time informed his majesty of the remarks and observations that lord Grantham has communicated to me relative to the same object. This ambassador has put into my hands another paper, similar to that which your minister of state * has forwarded by your excellency. Nevertheless I must say, that neither in the explications of lord Grantham, nor in the dispatches he received from his court, are found the substantial and specific expressions which have been made use of with your excellency, in order to induce the king to propose a method of accommodation. Notwithstanding that, I shall tell your excellency with freedom and exactness, the reflections made by the king, the resolution he has taken, and the conduct your excellency should keep,

* *i. e.* The earl of Hillsborough, who had recently succeeded lord Weymouth as secretary for the southern department.

to cause it to be understood, and get an answer; and the present dispatches will serve to your excellency as instructions.

“His majesty has already remarked, that the court of London expresses itself differently by word of mouth to what it does in writing; that is to say, by word of mouth it appears as if that court wished for nothing more eagerly than to hear the convenient and honourable temperament his majesty has found, in order to accede to it—and in writing, it appears that the British ministry persist in their former ideas, expressing only their desire of peace by general protestations.”

Subsequently to the foregoing reflections, others were set down in the said dispatches to the marquis of Almadovar, explaining some thoughts that occurred to his majesty, with a desire of falling into a prudent and honourable method that might facilitate the pacification. The substance of those ideas was confined to know whether it might be expected that the English cabinet would consent to a long continued truce between the belligerent powers and the colonies, that might be prudently combined to preserve the dignity of each of them, and consolidated with various precautions, to remove any suspicion of a new rupture; for which purpose it should be referred to a subsequent negotiation, or to a congress to be held in an impartial place, under the mediation of the king, for the stipulating or concluding the treaties that might take place between those powers.

XX. From the 20th January of this year, when an extraordinary dispatch was forwarded to London, with the ideas or thoughts of the king, as recited in the above number, the English cabinet deferred giving any answer until the 16th March. At the end of so long a delay, that court came to an explication in a dispatch sent to lord Grantham, which was received in Madrid the 28th of the same month. It amounted merely to advert at large on the

reflections contained in that of the court of Madrid of the 20th January ; but it deserves much notice, what sort of satisfaction lord viscount Weymouth gave relative to the difference observed between his manner of explaining himself by word of mouth and by writing : “ My language ” —these are the words of his answer—“ with the marquis d’Almadovar, flowing from my ardent desire for peace, went too far, and were wanting in exactness, if they imported a disposition to exchange the royal honour and manifest rights, for a decent exterior and plausible temperance.” If with such a finesse ministers recede from their words, and satisfy those with whom they treat, what faith or security can be put in the explanations of a court made solemnly to the ambassador of a powerful king ? Be it as it may, after all the observations contained in the fore-mentioned English dispatch of the 16th March, it concluded with an appearance which flattered the king with an hope, that at least a pacification might be effected. “ Let France propose,” said the English cabinet, “ her complaints, pretensions, or points of any kind whatever, and an adequate answer will be given ; or let there be a truce for a certain time between Great Britain and France, during which period the pretensions of the one and the other may be adjusted, through the good offices of his Catholic majesty. Let the colonies,” added the English cabinet, “ propose their complaints, and the conditions for their security and caution, by which may be re-established the continuance and authority of a lawful government. We shall then see if we can come to a direct and immediate agreement : or, if they also prefer the method above-mentioned, let there be likewise a truce made with North America, that is, a real truce, and effective suspension of hostilities, during which the liberty and effects of all sorts and classes of persons may be re-established and secured, and all violence suspended on one side and the other, against the respective individuals and the estates or

effects they possess. In these truces the French may treat of their own peculiar matters, without giving the umbrage which would be inevitable, if they mixed in the negotiation their own particular advantages with the supposed interests of those whom France affects to call her allies: and his Britannic majesty may establish the government of his own dominions, without the disagreeable circumstance of receiving the conditions relative thereto from the hands of a declared enemy."

XXI. It appears by the opening made by the court of London in the dispatch mentioned in the preceding note, for the purpose of establishing a truce between France and the colonies, that it contained no difficulty except the reserving for a separate treaty the pretensions of the said power, and those of the American provinces aforesaid, so that France should not interfere in the arrangement of their interests: at least this is what any person of sincerity and good faith would then or even now believe, who read, or now reads the explanations of the English cabinet in that dispatch. Under this supposition, we shall communicate for the eye of the impartial public, the ultimatum of the propositions made by the Catholic king to the two courts of Paris and London, he having taken on himself the adjustment of the disputes subsisting with the American provinces, and considering there was not time to communicate to them, or even to France, this his resolution, and whereof advice was given to the said courts on the 3d of April in the present year, that is to say, seven days after the having received the answer of the English cabinet.

"If these openings or propositions"—thus literally are the expressions of the ultimatum—"had come immediately after the king had made his for the forming a plan of reconciliation, many difficulties might already have been removed or adjusted by the modifications which it might have been practicable to have negotiated, if reci-

procal good faith had existed, and a confidence to conclude a peace. But having lost more than two months time without mentioning what was neglected before, and observing in this interval there was no need of cessation in the forming great expeditions or preparations, suspicions inevitably arose, that the drift was to amuse and consume the remaining months of the campaign, and to continue the war with vigour. If this be the case, every attempt of the king will be useless towards establishing concord between the belligerent powers. Nevertheless, his majesty, to give the last proof of his love of humanity, and that he has not left undone any thing to impede and put a stop to the calamities of war, has commanded that the following plan be proposed to the two courts, which on his part is the ultimatum of his negotiation :

“ That with a view that this suspension of hostilities may establish reciprocal security and good faith between the two crowns, there shall be a general disarming within one month in all the European seas, within four in those of America, and within eight, or one year, in those remote parts of Africa and Asia. That in the space of one month a place shall be fixed upon, in which the plenipotentiaries of the two crowns shall meet to treat on a definitive adjustment of peace, regulate the respective restitutions or compensations necessary, in consequence of the reprisals that have been made without any declaration of war, and to settle such matters of complaint or pretension as the one crown may have against the other. To the accomplishment of which end, the king will continue his mediation, and does now, for the holding of this congress, make an offer of the city of Madrid. That a like suspension of hostilities shall be separately granted by the king of Great Britain to the American colonies, through the intercession and mediation of his Catholic majesty, to whom the same potentate shall promise the observance thereof, and with the condition that it shall not be broke

without giving to his majesty an anticipated notice of one year, that he may communicate it to the said American provinces ; and that there be established a reciprocal disarming, the same as with France, in the same times and places, regulating the limits that shall not be passed by the one or the other party, with respect to the places they may respectively occupy at the time of ratifying this adjustment.

“ That for settling these particulars, and others relative to the firmness of the said suspension, and to the effects it may produce while it subsists, there shall come to Madrid one or more commissaries or agents of the colonies, and his Britannic majesty will send his under the like mediation of the king, if they should be in need of it, to accord or agree in the foregoing ; and that in the mean time the colonies shall be treated as independent in acting.

“ Finally, if it be desired by all or any of the belligerent powers, or by the aforesaid colonies, the fore-mentioned powers shall jointly with Spain guarantee the treaties or agreements which shall be made : the Catholic king now makes an offer of his guarantee to the said preliminaries.”

Whoever compares these articles with the preceding openings made by the court of London, will decide, if there can be imagined proposals more moderate, or more analogous to the system laid down by the British cabinet. Perhaps his Catholic majesty has rather gone too far in the moderation to which he reduced the said propositions, taking on himself the difficult task of settling the disputes.

XXII. The greatest repugnance which the British cabinet affected to shew to the ultimatum and propositions of the king of Spain, rests on the point of treating the colonies as independent in acting during the interval of the truce. To what has been already said may be added,

what was affirmed in all the public papers of the month of February, 1778, that lord North had on the 17th of the said month, proposed in the house of commons, as a matter of course, “that the commissioners then appointed by the court of London, should treat with the American deputies as if they were plenipotentiaries of independent states, with proviso, that this concession should not be prejudicial to Great Britain, if, in the course of the negotiation the colonies should resolve to desist from their claim of independence.”

It is a thing very extraordinary, and even ridiculous, that the court of London treats the colonies as independent not only in acting, but of right, during this war, and that it should have a repugnance to treat them as such only in acting, during a truce or suspension of hostilities. The convention of Saratoga; the reputing general Burgoyne as a lawful prisoner to suspend his trial, the exchange and liberating of other prisoners made from the colonies, the having named commissioners to go and supplicate the Americans at their own doors, request peace of them, and treat with them and the congress; and finally, by a thousand other acts of this sort authorized by the court of London, have been, and are true signs of the acknowledgment of the independence; and the English nation itself may judge and decide, whether all those acts are so compatible with the decorum of the British crown, as would be the granting to the colonies at the intercession of his Catholic majesty, a suspension of hostilities, adjust their differences, and treat them in this interval as independent states.

XXIII. It must appear incredible, after having considered the preceding articles, that the court of London should refuse to accept of the propositions of the ultimatum of that of Madrid, although with some explanations that it might think necessary: but that court not only rejected them, in its answer given the 4th May, after vari-

ous pretexts for delay, but put forth indirect and strained interpretations of the proposals that were then made, having the effrontery to say, "that the drift of Spain was to form from the pretensions of the colonies to independence, one common cause with them and with France :"—The British cabinet concluding with saying, "that if the conditions which the court of Versailles had communicated to his Catholic majesty, did not present a better aspect than this for the treaty, or did not offer less imperious and unequal terms, the king of Great Britain would only have to lament, that he found the hopes frustrated which he had always conceived, of the happy restoration of peace, as well for his subjects as the world in general." If this is not a want of respect to the mediating king, a real provocation, and evident in consequence, it will be difficult to find expressions more adapted for it. Neither did his Catholic majesty make a common cause with France and the colonies in his last proposals, nor were they made to France, to whom they were not, nor could not for want of time, be communicated before they were transmitted to the court of London, so that the whole apparatus of those haughty expressions of the English ministry amount merely to say, that in spite of the overture made by themselves on the 16th March, they preferred war to peace, or treating with the fore-mentioned mediator, whom they provokingly insulted, treating him as partially leagued with the enemies of Great Britain, imperious and inconsistent.

In aggravation to all the foregoing, at the same time the British cabinet answered the king of Spain in the terms already mentioned, they were insinuating themselves at the court of France, by means of secret emissaries, and making very great offers to her to abandon the colonies, and make peace with England. But there is yet more ; at the very same time the English ministry were treating by means of another certain emissary with Dr. Franklin,

minister plenipotentiary from the colonies residing at Paris, to whom they made various proposals to disunite them from France ; and to accommodate matters with England, on conditions almost identically the same as those which they had rejected or spurned at as coming from his Catholic majesty, but in fact with offers much more favourable to the said colonies. The said treaty went so far as to be extended in formed articles, with various explanations ; and was carried on under the authority of one of the principal English ministers. Of all this and much more, it would be easy to inform the public by true and formal copies, if it were necessary, or that this implacable enemy hereafter obliges it to be done, and who has always been treated by Spain with the greatest moderation.

XXIV. The true intentions of the court of London being clearly discovered, the Catholic king could not longer withhold the putting in full force the treaties concluded with France. From what has been observed in the preceding note, it evidently follows, that the whole of the English policy, was to disunite the two courts of Paris and Madrid, by means of the suggestions and offers she separately made to them ; also to separate the colonies from their treaties and engagements entered into with France, induce them to arm against the house of Bourbon, or more probably to oppress them, when they found, from breaking their engagements, they stood alone, and without protectors or guarantees for the treaties they might enter into with the British ministry. This, therefore, is the net they laid for the American states, that is to say, to tempt them with flattering and very magnificent promises to come to an accommodation with them, exclusive of any intervention of Spain or France ; that the British ministry might always remain the arbitrators of the fate of the said colonies, in the point of fulfilling any treaties or agreements they might make. But the Catholic king, faithful on the one part to the engagements which bind him to the most

Christian king, his nephew ; just and upright on the other to his own subjects, whom he ought to protect and guard against so many insults ; and finally, full of humanity and compassion for the Americans, and other individuals who suffer from the calamities of the present war, he is determined to pursue and prosecute it, and to make all the efforts in his power, until he can obtain a solid and permanent peace, with full and satisfactory securities that it shall be observed.

XXV. To attain, as before-mentioned, the much desired end of a secure peace, it is absolutely necessary to curtail and destroy the arbitrary proceedings and maxims of the English maritime power ; to the attainment of which, all other maritime powers, and even all nations in general, are become much interested. The Catholic king, for his part, has done all he possibly could, that the insults founded in such proceedings and maxims should be put an end to, but this he has not been able to effect by amicable means. On the contrary, injuries have been repeatedly continued, as has been represented in the negotiation set on foot with England by the mediation of the said monarch. The court of London has become forgetful in these later times, that she should have adjusted and settled her differences with Spain according to the agreement. In the same month of May, in which this negotiation was put an end to, there came advices, of the violence committed by English ships and their crews, in the river St. John, and bay of Honduras, of which mention has been made in note the first, and it was known also with great probability, that the English cabinet had given anticipated orders for the invasion of the Philippine islands. From such deeds, as well as from the foregoing, the impartial and candid world will be enabled to do justice in this famous controversy, and decide whether the declaration presented by the marquis of Almadovar, on the 16th June last, is founded

in reason and truth; in the mean while, it should be observed that the court of London, on the 18th of said month, issued orders for commencing and committing hostilities, and making reprisals against Spain, who did not issue similar orders till after she had received advice thereof.

END OF VOL. VI.

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